

August 22, 2002

Mr. Randolph (Randy) Rohm
1837 Guernsey Drive
Fremont, OH 43420

Dear Mr. Rohm:

I am writing in response to your letter of July 17, 2002, to Mr. John Grobe of the U.S. Nuclear Regulatory Commission (NRC). In your letter, you expressed concerns about the damage to the reactor pressure vessel (RPV) head and the current repairs at FirstEnergy's Davis-Besse Nuclear Power Station.

The NRC is taking significant regulatory actions prompted by the discovery of RPV head degradation at Davis-Besse. These actions not only address the technical issues but will also assess the management and human factors performance issues for which you have expressed concern. The NRC has established a special oversight panel to coordinate the agency's activities in assessing the performance problems associated with the corrosion damage to the RPV head. The oversight panel includes NRC management personnel and staff from the Region III office in Lisle, Illinois, the NRC Headquarters office in Rockville, Maryland, and the NRC Resident Inspector Office at the Davis-Besse site. The objectives of the panel are to provide the necessary oversight throughout the shutdown and ensure that appropriate regulatory and licensee actions are established. Before the plant would be allowed to restart, the NRC must be satisfied that the plant will be operated safely in accordance with the NRC rules and requirements and that the licensee's actions provide reasonable assurance for the protection of public health and safety.

The oversight activities are conducted under the agency's Inspection Manual Chapter 0350, which establishes the procedures to be followed for the oversight of utility performance for plants that are shut down as a result of significant performance problems or events. This will ensure that the plant will not return to the demonstrated "status-quo" of poor maintenance and management practices. The panel is currently holding public meetings periodically with FirstEnergy representatives to review the status of activities to address their performance issues. These meetings are normally held in the vicinity of the Davis-Besse plant and the public is invited to observe the meetings. The NRC staff will be available to answer questions received from the public before the meeting is adjourned. In addition, the panel often holds periodic meetings with the public near the site. Please feel free to attend any of these meetings to receive the most current information from the NRC staff. In addition, the agenda, briefing materials, and transcripts of these meetings as well as a variety of information regarding this issue at Davis-Besse are posted on the Davis-Besse web site that can be accessed through the NRC's web site at www.nrc.gov.

The NRC has also created a Davis-Besse RPV Head Degradation Lessons Learned Task Force (LLTF) to conduct an independent evaluation of the NRC staff's regulatory processes related to assuring reactor vessel head integrity. This team consists of NRC managers and staff who are not routinely associated with the Davis-Besse plant. The team officially

commenced its review activities on June 2, 2002, and expects to issue a report detailing its observations, conclusions, and recommendations by September 3, 2002. Additional information about both the 0350 Panel and LLTF efforts is publicly available on the NRC's Web site, <http://www.nrc.gov/reading-rm/adams.html>, via the NRC's Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room under Accession Numbers ML021230683 and ML021370684, respectively. Additionally, the licensee is taking action to provide for independent oversight of actions related to the RPV head degradation. The staff finds that all of these efforts are intended to provide information that adequately resolve the outstanding Davis-Besse safety issues and associated concerns. The licensee has also decided to replace the damaged RPV head rather than repair it, which addresses your concerns about the licensee's repair of the Davis-Besse head.

The NRC takes its responsibility for protecting the public health and safety seriously. We continue to vigilantly monitor and regulate Davis-Besse as well as all other nuclear power reactors to ensure they operate in a manner that adequately protects public health and safety and the environment. In our continuing review of the RPV head degradation at Davis-Besse, we have found nothing to date that indicates that the safety of the public was compromised. The Davis-Besse plant will not restart until the NRC is satisfied that all current safety concerns have been resolved.

Thank you for bringing your concerns to the attention of the NRC.

Sincerely,

/RA/

Anthony J. Mendiola, Chief, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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