



**FRAMATOME ANP**

An AREVA and Siemens company

**FRAMATOME ANP, Inc.**

January 16, 2003  
NRC:03:008

Document Control Desk  
ATTN: Chief, Planning, Program and Management Support Branch  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

**Evaluation of a Potential Safety Concern Pursuant to 10CFR21(a)(2)**

Ref.: 1. Letter, J. F. Mallay (Framatome ANP) to Document Control Desk (NRC), "Interim Report on the Evaluation of a Potential Safety Concern Pursuant to 10CFR21(a)(2)," NRC:02:058, November 26, 2002.

Framatome ANP initiated a potential safety concern (PSC 4-02) on September 30, 2002, as a result of findings from a limited set of chemical samples taken at Davis Besse that may be indicative of reactor coolant leakage from a source other than the upper reactor vessel head. After conducting a critical evaluation of the available data, Framatome ANP concluded it did not have adequate information to determine whether this finding constituted a reportable defect under the provisions of Part 21 (Reference 1).

PSC 4-02 was written to apply to all reactor vessels included in nuclear steam systems supplied by B&W. Only the owners of these reactor vessels can make a final determination of reportability under Part 21. Therefore, the responsibility for addressing this concern has been transferred to the members of the B&WOG, who will make their own determinations. A copy of the letter turning over this responsibility is enclosed.

PSC 4-02 has been closed by Framatome ANP.

Very truly yours,

James F. Mallay, Director  
Regulatory Affairs

Enclosure

cc: D. G. Holland  
Project 728

IE19



**FRAMATOME ANP**

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**FRAMATOME ANP, Inc.**

January 15, 2003  
JFM:03:001

**B&WOG Licensing Managers**

- Ref.: 1. Letter, J. F. Mallay to B&WOG Members, October 17, 2002 (JFM:02:017)
2. Letter, J. F. Mallay to B&WOG Licensing Working Group, "Preliminary Safety Concern Related to Chemical Samples Taken from the Lower Reactor Vessel Head at Davis Besse," November 12, 2002 (JFM:02:020)
3. Letter, J. F. Mallay to the NRC, "Interim Report on the Evaluation of a Potential Safety Concern Pursuant to 10CFR21(a)(2)," November 26, 2002 (NRC:02:058)

On September 30, 2002, Framatome ANP initiated a preliminary safety concern (PSC 4-02) concerning the results of limited chemical samples taken from the lower reactor vessel head at Davis Besse. The B&WOG has been kept informed of this situation in letters of October 17 and November 12 (References 1 and 2). In addition, a copy of Framatome ANP's letter to the NRC that enclosed an interim report on the situation was distributed to members of the B&WOG (Reference 3). All three letters state that each licensee should assume responsibility for interpreting this situation for its own units because the concern raised in the PSC applies to all reactor vessels provided with B&W-supplied nuclear steam systems.

Framatome ANP has determined that it has insufficient information to determine whether the concern identified is reportable under the provisions of 10CFR21. Therefore, this matter is being transferred to the members of the B&WOG so they can evaluate the concern under their own procedures and individually make their own determinations.

Framatome ANP is notifying the NRC that PSC 4-02 is being closed because members of the B&WOG will make their own decisions on whether action is required under the provisions of Part 21. Framatome ANP will appreciate being informed of your determination for our records.

Very truly yours,

James F. Mallay, Director  
Regulatory Affairs

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