

February 12, 2003  
EN-03-010

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: First Energy Nuclear Operating Company EAs -02-117, -02-257  
Davis-Besse Nuclear Power Station  
Docket No. 50-346

Subject: ISSUANCE OF FINAL SIGNIFICANCE DETERMINATION AND NOTICE OF VIOLATION

This is to inform the Commission that two WHITE Significance Determination Process (SDP) findings and associated Notice of Violation will be issued on or around February 18, 2003, to First Energy Nuclear Operating Company (FENOC) as a result of inspections at the Davis Besse facility. The two WHITE findings, issues with low to moderate increased importance to safety that may require additional NRC inspections, involve failures to: (1) conduct an adequate evaluation (survey) of the radiological hazards in order to characterize the radiological work conditions; and (2) take timely and suitable measurements of radioactive material to adequately monitor the occupational intake of these materials by workers during and following the steam generator nozzle dam installation conducted on February 20, 2002. These conditions represented violations of 10 CFR Part 20.1501(a), and 10 CFR Part 20.1204(a), respectively. Accordingly, a Notice of Violation with two violations associated with the WHITE findings is being issued.

A separate GREEN finding and associated non-cited violation was previously issued to FENOC on January 7, 2003. This finding involved the offsite release of hot particles that were detected on workers attempting to enter two other nuclear plants.

FENOC declined the invitation for a Regulatory Conference to discuss the two WHITE issues.

It should be noted that the licensee has not been specifically informed of this action. The schedule of issuance and notification are:

Mailing of Final Significance Determination and Notice of Violation	February 18, 2003
Telephone Notification of licensee	February 18, 2003

The State of Ohio will be informed.

Contacts: D.J. Nelson, OE, 415-3280 J. Luehman, OE, 415-2741

**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL  
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**

Distribution:

OWFN  
Chairman Meserve  
Comm. Dicus  
Comm. Diaz  
Comm. McGaffigan  
Comm. Merrifield  
  
SECY  
OCA  
PA  
IP

OWFN  
EDO  
DEDR  
DEDE  
OE  
OGC  
NRR  
NSIR  
OI  
SP

TWFN  
OCFO  
OP CENTER  
NMSS  
OIG  
OCIO  
RES  
ACRS

Regional Offices  
RI      RII  
RIII    RIV  
  
MAIL  
ADAMS

OE:ES                      OE:DD  
DJNelson                  JLuehman  
02/12/2003                02/12/2003  
File Name: C:\ORPCheckout\FileNET\ML030430259.wpd  
ADAMS ACN. ML030430259

**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL  
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**