

September 14, 2003

MEMORANDUM TO: Davis-Besse Oversight Panel

FROM: John A. Grobe, Chairman, Davis-Besse Oversight Panel */RA/*

SUBJECT: MINUTES OF INTERNAL MEETING OF THE DAVIS-BESSE
OVERSIGHT PANEL

The implementation of the IMC 0350 process for the Davis-Besse Nuclear Power Station was announced on April 29, 2002. An internal panel meeting was held on August 5, 2003. Attached for your information are the minutes from the internal meeting of the Davis-Besse Oversight Panel, the Memorandum to DB 0350 Oversight Panel from G. Wright

Re: Comparison of the Preliminary and Final Safety Culture Reviews Conducted by Performance Safety and Health Associates, Inc. and the "Open" Action Items List.

Attachments: As stated

cc w/att: H. Nieh, OEDO
L. Dudes, OEDO
J. Dyer, RIII
J. Caldwell, RIII
R. Gardner, DRS
B. Clayton, EICS
G. Wright, DRP
B. Burgess, DRP Branch 2
DB0350

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OFFICE	RIII		RIII		RIII		RIII	
NAME	*MPhillips/klg		Clipa		JGrobe		*DPassehl	
DATE	08/07/03		08/20/03		09/11/03		09/14/03	

*See previous concurrence

OFFICIAL RECORD COPY

MEETING MINUTES: Internal IMC 0350 Oversight Panel Meeting
Davis-Besse Nuclear Power Station

DATE: August 5, 2003

TIME: 1:00 p.m. Central

ATTENDEES:

J. Grobe	J. Rutkowski	M. Phillips
D. Passehl	C. Lipa	W. Ruland
C. Thomas	J. Hopkins	A. Mendiola
J. Stang	G. Wright	D. Hills

Agenda Items:

1. Discuss/Approve Today's Agenda

The Panel approved the agenda, but modified the order of presentations. **THE APPROVED AGENDA REFLECTS THE ORDER LISTED IN THESE MINUTES.**

2. Discuss Comparison of the Preliminary and Final Safety Culture Reviews Conducted by Performance Safety and Health Associates

Mr. Wright led a discussion on the comparison of the preliminary and final safety culture review reports conducted by Performance Safety and Health Associates. In preparation for this discussion, Mr. Wright sent out a memorandum to the Panel summarizing the comparison with an attachment to the memorandum providing a detailed assessment. The assessment included specific information from the preliminary and final review reports. The Panel concluded that there was no difference in the content of the two reports although the format of the final report was more readable than the preliminary report. **THE MEMO FROM MR. WRIGHT TO THE PANEL IS ATTACHED TO THESE MINUTES. THE ATTACHMENT IS CONSIDERED PROPRIETARY AND IS THEREFORE WITHHELD FROM PUBLIC DISCLOSURE (EXEMPTION 4).**

3. Discuss Plant Status and Inspector Insights and Emergent Issues List

Mr. Thomas led a discussion on plant status and inspector insights and emergent issues. The Panel discussed the status of the high pressure injection pumps, the electrical distribution system modifications, reactor coolant pump seal resistance temperature detector capping, high pressure injection pump recirculation piping modification, schedule of milestones, and plans for shipment of the old reactor vessel head.

Mr. Grobe mentioned that there will be a briefing of the NRC Executive Director for Operations on August 18, 2003, regarding a closed Commission briefing on the status of investigatory and enforcement matters at Davis-Besse. The closed Commission briefing is scheduled for August 25, 2003.

4. Discuss Status of Inspection Issues

Mr. Grobe and Ms. Lipa led a discussion of the status of inspection issues. Ms. Lipa provided an update of the corrective action team inspection. Ms. Lipa and the corrective action team inspection leader met with licensee representatives today to discuss corrective actions and their status and priority. A revision to the previously approved corrective action team inspection plan is being drafted. The revised plan is scheduled to be discussed at the 0350 internal Panel meeting on August 12, 2003.

The Panel discussed the status of the draft Task Interface Agreement (TIA) regarding the high pressure injection pumps (ref. Action Item No. 200, "Draft a TIA letter to send to B. Ruland regarding whether the proposed modification that the licensee is performing to the high pressure injection pumps is sufficient to address the design deficiency.")

NEW ACTION ITEM 205 - J. HOPKINS TO ARRANGE A TELEPHONE CALL WITH THE LICENSEE AND EUGENE IMBRO OF NRR TO DISCUSS DETAILS OF THE HIGH PRESSURE INJECTION PUMP MODIFICATION.

The Panel discussed the status of Action Item 193, "Consider TIA on an issue pertaining to 10 CFR 50 Appendix R Section III-L, "Alternative and Dedicated Shutdown Capability." Mr. Stang is researching the exact licensing basis to determine whether the licensee is in compliance. Region III sent a draft TIA to Headquarters on this issue.

The Panel discussed the status of the normal operating pressure (NOP) test. John Jacobson is developing a Task Interface Agreement with the Panel's questions on the NOP test. Messrs. Ruland and Mendiola stated that Headquarters (Bill Bateman's group) was not amenable to a TIA and requested consideration of an email with the Panel's questions instead. Further discussions are ongoing.

The Panel discussed the status of the licensee's 10 CFR 50.54(f) letter. Mr. Grobe asked Ms. Lipa to draft a White Paper outlining the licensee's status regarding this letter.

5. Discuss/Approve Inspection Plan to Address Restart Checklist Item 3.i, "Process for Ensuring Completeness and Accuracy of Required Records and Submittals to the NRC."

Mr. Passehl discussed the licensee's status on resolving Restart Checklist Item 3.i, "Process for Ensuring Completeness and Accuracy of Required Records and Submittals to the NRC." Following this discussion Mr. Passehl presented his inspection plan relative to this area. The Panel had some suggestions for the inspection plan which Mr. Passehl will incorporate and present to the Panel at a future Panel meeting.

6. Discuss Riccio Letter

The Panel discussed a July 31, 2003, letter from Jim Riccio of Greenpeace to Mr. Grobe. Mr. Phillips added this letter to the Restart Action Matrix as Item E-37.

NEW ACTION ITEM 206 - CHRISTINE LIPA TOOK ACTION TO CALL MR. RICCIO AND LET HIM KNOW WHEN THE PANEL WILL RESPOND TO HIS LETTER.

The Panel also discussed an August 4, 2003, email from Mr. Dave Lochbaum of the Union of Concerned Scientists regarding the basis for the initiating event frequency used in the recent preliminary Yellow finding documented in Inspection Report 50-346/03-15.

NEW ACTION ITEM 207 - SONIA BURGESS TOOK ACTION TO WRITE A LETTER IN RESPONSE TO MR. LOCHBAUM'S LETTER QUESTIONING THE BASIS FOR THE INITIATING EVENT FREQUENCY USED IN THE PRELIMINARY YELLOW FINDING DOCUMENTED IN INSPECTION REPORT 50-346/03-15.

Ms. Lipa briefed the Panel on the status of emails and letters from citizens of Ohio and elsewhere regarding Davis-Besse. The specific concerns relate to citizens' requests that Davis-Besse should remain shutdown. To date the NRC has received about 2000 hand-written letters and 300 emails. On July 15, V. Mityling, J. Strasma, and R. Doornbos discussed plans to address the correspondence with the 0350 Panel. Jan Strasma has an action to respond to the emails and letters from concerned citizens in the August 2003 newsletter. J. Grobe is communicating with E. Merschoff and L. Chandler on how the Panel should handle the correspondence in ADAMS.

7. Discuss New Allegations

M. Phillips led a discussion on two new allegations that were received.

8. Discuss Any Allegations for Which an Extension Was Requested

Mr. Phillips informed the Panel that there were no allegations for which an extension was requested.

9. Discuss Confirmatory Action Letter Revision

Ms. Lipa led a discussion on the status of the Confirmatory Action Letter. The letter is in the process of being updated to reflect closure of the issues concerning the quarantine on the reactor vessel head and the root cause reports.

10. Discuss Action Items

The Panel reviewed all the open Action Items and had the following comments:

Item 136 (Open) - NRR acceptance of NOP criteria and method

John Jacobson working on a draft Task Interface Agreement.

Item 147 (Open) - Generate a list of items to consider after restart as well as transition back to the normal 0350 when terminating the 0350 Panel

Dave Passehl to bring the list back to the Panel on or about September 16, 2003.

11. Discuss New/Potential Licensing Issues

Mr. Hopkins informed that Panel that there were no new licensing issues. Mr. Hopkins mentioned that the licensee is still considering submittal of a Licensing Amendment Request (LAR) to revise the Updated Safety Analysis Report (USAR) as a result of modifying auto transfer of 13.8 kV busses to prevent an alignment where both 13.8 kV busses are powered from a single startup transformer.

12. Discuss OI Findings

Mr. Grobe led a discussion of the status of findings by the NRC's Office of Investigations.

13. Discuss Panel Process Plan

Mr. Passehl led a brief discussion of the complete Panel Process Plan and will incorporate the Panel's comments.

14. Discuss Items for Licensee Weekly Calls

The Panel discussed items for the weekly calls with the licensee.

15. Discuss/Update Milestones and Commitments

The Panel reviewed and discussed upcoming milestones and commitments.

DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST

Item Number	Action Item (Date generated)	Assigned to	Comments
24a	Discuss making information related to HQ/licensee calls publicly available	Panel	<p>Discuss by June 30, after safety significance assessment complete; 6/27 - Invite Bateman to panel mtg. To discuss what else is needed to closeout the CAL (i.e. quarantine plan); 7/2 - NRR not yet ready to discuss; 7/16 - See if procedures have changed on CAL closeout - does JD need to send letter?; 7/18 - Discussed - is there an applicable regional procedure?; 8/6 - Discussed. Need to determine the final approach on the core removed from the head and the final approach on the head before the quarantine can be lifted; 8/22 - Revisit action item after letter sent to licensee confirming plans with old vessel head (head may be onsite longer than originally anticipated); 8/29 - Memo to be sent to Region, with a letter to go out next week; 10/01- Discussed. 1) Conduct NRC staff survey-due 10/7 2)Memo to NRR - due 10/11 3) Region to issue letter; 11/07-Letter required from NRR on head quarantine status; 11/19 - Letter in draft; 01/03 - A. Mendiola to look at phone conference writeups on quarantine decision making to determine if they can be released to the public; 01/07 - discussed; 01/21 - discussed; 01/31- A. Mendiola's action; 02/11 - Completion of Licensee Phase 3 sampling plan required; 02/21 - 17.5 Rem to cut samples, Less samples may be required; 04/03 - Completion of Phase 3 sampling plan scheduled for late April - discuss again then; 04/08 - Revisit in June 2003; 07/01 - Nozzle specimen removal begins tomorrow; 07/22 - Await verification that all samples are received at Battelle before making public;</p>

DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST

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73	Send feedback form on IMC 0350 procedure to IIPB (8/6)	Lipa/ Mendiola	8/6 - Generate feedback after panel meetings reduced to once per week; 8/29 - Discussed - no change; 10/1 - Discussed; 11/7 - D Passehl sent email to C Carpenter and D Coe indicating that we would be able to perform a review of the draft IMC 0350 during the first quarter of 2003; 12/3-discussed; 01/03 - 2 parts, short part- C. Lipa with P. Harris, long part- B. Dean; 01/07 - 2 nd larger response will require meeting between all parties; 01/21 - Communications with P. Harris; 01/31-Meeting with P. Harris on Feb 4; 02/11 - Many concerns identified by the panel for inclusion; 02/21 - July 1 due date for larger input; 07/01 - Request two month extension of due date; 07/22 - Due date extended to September 1.

DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST

Item Number	Action Item (Date generated)	Assigned to	Comments
136	<p>NRR acceptance of NOP criteria and method (01/03) J. Grobe to send an email week of 05/19 with question of whether the licensee's method and criteria are adequate to address the TS for zero unidentified reactor coolant leakage from the reactor coolant system. By the end of the week of 05/19 NRR to formulate a proposed position for discussion. The position by NRR will be discussed by the Panel during the 05/27 0350-Panel meeting. After discussing on 05/27 the issue is to be presented internally within the NRC for dissenting views (05/27 - Reopen)</p>	W. Ruland/ J. Grobe	<p>01/07 - Item discussed. Meeting summary of November 26, 2002 meeting has notation of NRR staff impressions of test plan. Once drafted, issue will be surveyed to staff to determine if consensus is correct; 01/21 - Meeting summary to discuss Flus System, Test agreement, and future inspections; 1/31 - T. Chan fwd to J. Hopkins; 2/11 - J. Jacobson questions need to be folded in (chem-wipes); 2/21 - Polling of staff discussed; 2/24 - Polling of staff by March 7; 3/25 - Staff to be polled after 4/4/03 meeting in headquarters, and meeting should address whether a rational basis exists that the bottom head is not leaking, and whether a critical flaw size will not appear during the next operating cycle; 04/08 - J. Hopkins writing mtg summary for 4/4, licensee to address additional questions on 4/9 telephone call; 05/16 - Closed; 05/27 - Reopen; 06/17 - Meeting held in HQ the week of June 9. R. Barrett et. al. discussed that the licensee has no basis that the nozzles are not cracked. May need a TS Amendment. The next step is to engage the licensee; 07/01 - Phone call held 6/30 with licensee. Licensee to provide written response to J. Jacobson; 7/29 - Licensee letter received; 08/05 - RIII sending in a draft TIA for discussion.</p>
138	Evaluate the effectiveness of the Comm Plan (01/07)	A. Mendiola, C. Lipa	01/31 - Ongoing; 02/21 - New EDO Comm Plan for Crisis Update, A. Mendiola to review for inclusion.

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147	Generate a list of items to consider after restart as well as transition back to the normal 0350 when terminating the 0350 Panel. The items should include plans to augment inspection of corrective actions, inservice inspection, and safety culture monitoring. (01/09)	D. Passehl	01/31 - working; 02/11 - Include dates and deadlines to Manual Chapter 0350 restart inspections planner; 07/01 - Discussed; 7/22 - Dave has list with Christine's comments; 08/05 - Discussed. Bring back 6 weeks.
178	Determine the type of backlog assessment that will be performed and by whom. Two attributes need to be considered: (1) the capability of the licensee to manage the backlog in an operating environment; and (2) the impact of the backlog on equipment reliability. (03/04)	C. Lipa	
186	Add Dennis Kucinich to the standard distribution list on documents for Davis-Besse. Then remove Dennis Kucinich from distribution 90 days after the final NRC reply to his 10 CFR 2.206 Petition is signed out. (04/22)	A. Saso	

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189	Collect Information on the Regulatory Approach to Research the Process to Ensure Proper Regulatory Footprint upon Restart (05/16)	J. Stang	05/27-Discussed; 07/01 - The Millstone Order was reviewed and the approach is not appropriate. Bill also look at the South Texas approach; 07/15 -Discussed, title changed; 7/22 - Lead changed.
193	Consider TIA on an issue pertaining to 10 CFR 50 Appendix R Section III-L, "Alternative and Dedicated Shutdown Capability." (05/27)	J. Stang	A concern was identified for the shutdown function performance goal of maintaining reactor coolant level. An NRC safety evaluation report issued in 1991 apparently allows the licensee to maintain reactor coolant level above the top of active fuel instead of maintaining level within the range of indication in the pressurizer; 7/1 - John Hannon to determine if a TIA is necessary or the issue is moot. Sent in draft TIA to HQ'a J. Stang to review licensing basis first.
195	Review worker fatigue issues at the site during the current inspection period. (06/17)	S. Thomas	6/24 - J. Grobe took action to contact L. Myers and discuss; 07/22 - Scott to update in early August.
196	Determine whether the shift manager is qualified to fulfill the shift engineer position in an emergency and whether there is an adverse impact on the licensee's emergency procedure Implementation. (06/17) Item re-opened at 7/1 Panel meeting.	J. Grobe	6/24 - Closed; 7/1 - Re-opened - see meeting minutes for additional information.
197	Develop a communication plan with restart Qs and As. (06/17)	A. Mendiola	6/24 - Lead changed

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200	Draft a TIA letter to send to B. Ruland regarding whether the proposed modification that the licensee is performing to the high pressure injection pumps is sufficient to address the design deficiency. (06/20)	C. Lipa	6/24 -The Panel assigned D. Hills with action to send an email next week with summary of the concept; 07/01 - On hold pending a licensee decision on whether to pursue this option or replace the pumps; 07/15 - A teleconference was held on July 14, 2003, with the licensee to get an updated status; 07/22 - Item taken off hold - questions to be developed and forwarded to NRR; 08/05 - HPI Pumps draft TIA submitted.
201	Coordinate with L. Gerke and ask her to call Rep. Kaptur's staff regarding the June 13, 2003, letter from Chairman Diaz to Kaptur. The purpose of the call would be to update Rep. Kaptur on the recent issues with the HPI Pumps and provide information on NRC actions to review LER 2003-02.(06/20)	T. Mendiola	6/24 - The Panel determined that when the communication plan is developed for the preliminary significance determination for HPI Pump issue that we consider interfaces with those people who receive the letter; 07/15 - Discussed.
202	Put a discussion of the actions the NRC took in reviewing concerns involving the reactor coolant pumps in the August 2003 newsletter. (07/15)	J. Strasma	

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203	Put a discussion of the actions the NRC is taking to respond to the emails and letters from concerned citizens regarding Davis-Besse in the August 2003 newsletter. This includes responding to the citizens and Amy Ryder with a letter including a copy of the most recent newsletter. (07/15)	J. Strasma	
204	Send an email to E. Merschhoff and L. Chandler inquiring how the Panel should handle the correspondence in ADAMS. (07/15)	J. Grobe	7/22 - E-mail sent 7/15, awaiting reply.
205	Arrange a telephone call with the licensee and Eugene Imbro of NRR to discuss details of the high pressure injection pump modification. (08/05)	J. Hopkins	
206	Call Mr. Riccio and let him know when the panel will respond to his letter. (08/05)	C. Lipa	
207	Write a letter in response to Mr. Lochbaum's letter questioning basis for the initiating event frequency used in the preliminary yellow finding documented in inspection report 50-346/03-15. (08/05)	S. Burgess	