

October 9, 2003

MEMORANDUM TO: Davis-Besse Oversight Panel

FROM: John A. Grobe, Chairman, Davis-Besse Oversight Panel
/RA by C. Lipa Acting for/

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 September 23, 2003. Attached for your information are the minutes from the internal meeting of the Davis-Besse Oversight Panel and the "Open" Action Items List.

Attachments: As stated

cc w/att: H. Nieh, OEDO
J. Caldwell, RIII
G. Grant, RIII
S. Reynolds, DRP
R. Gardner, DRS
B. Clayton, EICS
G. Wright, DRP
DB0350

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OFFICE	RIII		RIII		RIII	
NAME	MPhillips/klg		CLipa		JGrobe CLippa for	
DATE	09/24/03		10/2/03		10/9/03	

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

DATE: September 23, 2003

TIME: 12:30 p.m. Central

ATTENDEES:

J. Grobe	R. Baker	A. Mendiola
D. Passehl	J. Stang	B. Ruland
C. Lipa	J. Hopkins	J. Jacobson
C. Thomas		

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 Leadership Team Briefing on Davis-Besse Status

Mr. Ruland led a discussion of proposed action items regarding leadership team briefings on Davis-Besse. During the leadership briefing an item was discussed pertaining to the evaluation NRC Research is performing about the combined effects of the deficiencies at Davis-Besse. There was a general caution that the Panel should maintain awareness of the evaluation NRC Research is performing.

NEW ACTION ITEM - Jon Hopkins took action to contact cognizant personnel in NRC Research regarding the evaluation Research is performing about the combined effects of the deficiencies at Davis-Besse and coordinate a briefing of the Panel.

Mr. Ruland also discussed an item where NRC Division of Engineering personnel has requested to be kept abreast of the status of the NRC inspection of the normal operating pressure (NOP) test. Division of Engineering personnel would like to factor the findings into a written conclusion about the NOP test.

NEW ACTION ITEM - John Jacobson took the following actions: (a) Issue a status report of the NOP test results thus far; (b) Issue a status report after the NOP inspection of record has been completed; (c) Issue a status report after the upper reactor vessel head and lower reactor vessel head tests are completed. The reports are to be forwarded to NRC Division of Engineering personnel.

3. Discuss Status of Inspection Issues

NOP Test Basis: Messrs. Hopkins and Stang provided a status of inspection issues. Regarding the NOP test basis, a memorandum from Mr. Hopkins to Mr. Grobe

(ADAMS Accession No. ML032510339) was issued on September 17, 2003, describing the results of the NRR staff's review of the licensee's letter dated July 30, 2003, concerning the incore monitoring instrumentation nozzle inspections that have taken place at Davis-Besse. In addition, the NRR staff has reviewed chemical data supplied by Region III and the additional measures that will be taken by the licensee prior to restart. **THIS ISSUE WAS TRACKED UNDER ACTION ITEM 136. ACTION ITEM 136 IS CLOSED.**

High Pressure Injection Pump TIA (Task Interface Agreement): Mr. Hopkins stated that the high pressure injection pump modification Task Interface Agreement was being worked by the NRR staff. Mr. Hopkins also stated that there has been no date set for a public meeting to discuss this issue.

10 CFR 50 Appendix R Exemption Issue: Mr. Stang stated that a package should be available for review by the Panel during the next Tuesday's Panel meeting.

4. Discuss Communication Status

Mr. Stang discussed the status of the Communication Plan. The final Plan is in typing and should be issued soon.

NEW ACTION ITEM - John Stang took action to determine whether the Communication Team has received all electronic and written correspondence from external sources. If there is reasonable confidence that the Communication Team has all the correspondence then develop a set of bullets explaining why there is reasonable confidence.

The Panel determined that a Quorum for conducting the Communication Team meeting shall include the presence at the meeting of either Mr. Mendiola or Ms. Lipa. If Ms. Lipa is not present then M. Phillips shall be present. Each meeting of the Communication Team shall have an agenda with a published set of minutes.

5. Discuss 1000's of Letters Status

Ms. Lipa led a discussion of the 1000's of letters status. A draft of the letter was presented to the Panel for comment. The goal is to get final approval of the letter this week.

6. Discuss Preparations for September 26, 2003, National Public Radio Interview

Ms. Lipa led a discussion of the preparations for September 26, 2003, National Public Radio interview of Mr. Grobe. On September 19, 2003, Mr. Grobe, Mr. Passehl, Ms. Lipa, and Ms. Mityling met and identified a list of documents for Mr. Grobe to review to prepare for his interview. Various Panel members took action to get the documents to Mr. Passehl, who was named the single point of contact for gathering the information.

7. Discuss Punch List

Ms. Lipa led a discussion of a draft punch list that will be used to ensure that NRC activities necessary to support Davis-Besse restart activities are accomplished. The list

included the following headings: (1) Panel Activities; (2) Inspection and Licensing Activities; (3) Other Regulatory Activities; and (4) Communications. The Panel assigned specific individuals as the owner of each line item. Mr. Grobe took action to update the list with comments by Panel members.

8. Discuss Completeness and Accuracy Inspection

Mr. Passehl led a discussion on the status of the completeness and accuracy inspection (Restart Checklist Item 3.i). The Panel discussed whether the licensee was doing a sufficient review on the issue of one individual's work reported in a letter to the NRC dated August 15, 2003. The inspection is tentatively scheduled for the week of October 20, 2003.

9. Discuss Items for Licensee Weekly Calls

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

10. Discuss New/Potential Licensing Issues

Mr. Hopkins informed that Panel that there were no new licensing issues. Mr. Hopkins took action to request the licensee to clarify its commitment in LER 03-07 regarding trip setpoint and allowable value for the 90% undervoltage essential bus feeder trip relays being incorporated into Technical Specifications in December 2005.

11. Discuss Action Items

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

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

This item is discussed above.

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. The Items Should Include Plans to Augment Inspection of Corrective Actions, Inservice Inspection, and Safety Culture Monitoring

Mr. Passehl presented a revised draft of the list of items to consider after restart as well as when returning back to the routing reactor oversight process after terminating the Panel. Mr. Passehl took action to update the list for the next Panel meeting.

Item 178 (Open) - 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

Ms. Sonia Burgess was named to lead this inspection.

Item 195 (Open) -Review worker fatigue issues at the site during the current inspection period

The item was assigned to Mr. Grobe.

Item 207 (Closed) - 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.

The letter was signed out by Mr. Grobe on September 17, 2003.

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

Mr. Thomas led a discussion on plant status and inspector insights and the emergent issues list. Mr. Thomas stated that the official walkdown for the NOP test started on September 24, 2003.

13. Discuss/Update Milestones and Commitments

The Panel reviewed and discussed upcoming milestones and commitments.

14. Other

The Panel determined that another internal Panel meeting should be held on September 25, 2003, to discuss the Process Plan, the Restart Action Matrix, and the Corrective Action Team Inspection Results.

A memorandum from John A. Grobe, Chairman, Davis-Besse Oversight Panel, to William D. Beckner, Chief, Reactor Operations Branch, Division of Inspection Program Management, Office of Nuclear Reactor Regulation, was signed out on September 12, 2003, requesting that NRR staff review the draft Information Notice associated with adverse effects of boric acid leakage identified at Davis-Besse. The memorandum and draft Information Notice can be located in ADAMS (Accession No. ML032650684).

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>

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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.

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136	<p>NOP Test Basis (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; 08/21 - Title changed; 09/23 - Closed</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; 09/23 - Discussed.
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	09/23 - S. Burgess was named to lead this inspection.
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	08/21- Discussed.

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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)	J. Grobe	6/24 - J. Grobe took action to contact L. Myers and discuss; 07/22 - Scott to update in early August; 08/21 - Discussed; 09/23 - Lead changed.
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)	J. Stang	6/24 - Lead changed; 08/21 - Lead changed

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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; 08/21 - 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	
207	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. (08/05)	S. Burgess	09/23 - Letter signed 09/17/03 - Closed.
208	Evaluate the need to call back CI regarding Allegation RIII-2002-A-0177 (D-B) after the OI Investigation is complete (08/21)	M. Phillips	

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209	Add author of Greenpeace 2.206 petition to the standard distribution list on documents for Davis-Besse. Then remove from distribution 90 days after the final NRC reply to the 10 CFR 2.206 Petition is signed out. (9/16)	A. Saso	
210	Contact cognizant personnel in NRC Research regarding the evaluation Research is performing about the combined effects of the deficiencies at Davis-Besse and coordinate a briefing of the Panel. (09/23)	J. Hopkins	
211	(a) Issue a status report of the NOP test results thus far; (b) Issue a status report after the NOP inspection of record has been completed; (c) Issue a status report after the upper reactor vessel head and lower reactor vessel head tests are completed. The reports are to be forwarded to NRC Division of Engineering personnel. (09/23)	J. Jacobson	

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