

October 19, 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 October 2, 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	RIII
NAME	RBaker:dtp	DPassehl	CLipa	JGrobe
DATE	10/09/03	10/08/03	10/09/03	10/19/03

OFFICIAL RECORD COPY

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

DATE: October 2, 2003

TIME: 9:30 a.m. Central

ATTENDEES:

J. Grobe	B. Ruland	R. Gardner
C. Lipa	A. Mendiola	J. Lara
D. Passehl	J. Stang	R. Baker
M. Phillips	J. Hopkins	Z. Falevits
M. Fields		

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 Response Letters Action Plan

Mr. Ruland informed the Panel that resources to implement the plan are being addressed.

3. Discuss Corrective Action Team Inspection Results and Assessment

Mr. Gardner led a discussion on the corrective action team inspection results in preparation for the public meeting with the licensee next Wednesday 10/8. Mr. Falevits briefed the Panel on the status of preparations for the meeting.

4. Discuss 2.206 Actions Required/Pending

Mr. Fields led a discussion of the status of the 10 CFR 2.206 submitted on August 25, 2003, (Accession No. ML032400435) by Greenpeace, on behalf of the Nuclear Information Resource Service (NIRS) and the Union of Concerned Scientists (UCS). Mr. Fields stated that all three groups will be placed on distribution for future documents related to the petition. The Panel is to review the time line for processing the response.

5. Discuss HPI Modification TIA and Evaluation Approach

Mr. Mendiola led a discussion HPI modification TIA and evaluation approach. The Panel requested that all issues brought up publically need to be adequately addressed during review of the modification.

6. Discuss 10 CFR Appendix R Exemption Issue

Mr. Stang led a discussion of the licensee's 1991 10 CFR Appendix R exemption request. The issue regards the Alternative Shutdown (ASD) regulations which require that an ASD system maintain primary system level within indicating range. The exemption apparently allowed keeping the pressurizer power operated relief valve open until level in the reactor coolant system is at the top of active fuel and allowance for unlimited manual actions. Questions from the Panel revealed a lack of understanding about some of the allowances granted. The Panel approved a new action item to draft a Task Interface Agreement to address the Panel's questions and concerns.

New Action Item (216): Mr. Lara will draft and submit a TIA which addresses issues and questions related to the licensee's 1991 10 CFR Appendix R exemption request regarding Alternative Shutdown (ASD) regulations.

7. Discuss Draft September Report to Congress

The draft report is complete and forwarded to NRR for review. Mr. Passehl will review comments and issue the report on Friday 10/4.

8. Discuss the House Energy Subcommittee Briefing on OI Issues

Mr. Grobe discussed that fact the Panel needs to have someone sit in on the briefing.

9. Discuss Process Closure for RAM Items

Ms. Lipa provided an update on the progress of reviewing several examples from the RAM for appropriate closure level. The results will be forwarded to the Panel for discussion at the meeting next Thursday 10/9.

10. Discuss Senior Management Site Visits

Mr. Passehl received inputs for future site visits by senior management as follows:

Mr. Jim Caldwell 10/29/03;
Mr. Brian Sheron 11/04/03.

11. Discuss/Update Milestones and Commitments

The Panel reviewed and discussed upcoming milestones and commitments. No changes to items listed per the agenda were noted.

DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST

Item Number	Action Item (Date generated)	Assigned to	Comments
73	Send feedback form on IMC 0350 procedure to IIPB (8/6)	C Lipa A 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 2 month extension of due date; 07/22 - Due date extended to September 1; 09/25- Due date extended to January 1.
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.
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; 09/30 - The Panel decision is to separate this into three distinct listings: Inspection Schedule items for both prior to and following restart; Focus Areas for post restart; and 0350 Panel termination criteria. The Panel will approve listings.

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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; 09/30 - Discussed, reevaluation of resources and decision on who will lead this inspection will be done on 10/2.
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; 09/30 - Discussed, history table populated with past 0350 decisions will be presented and decision on this criteria will be made by 10/9.
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's J. Stang to review licensing basis first; 09/30 - Discussed, update will be presented on 10/2.

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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; 09/30 - Resolution will be available by 10/3.
197	Develop a communication plan with restart Qs and As. (06/17)	J Stang	6/24 - Lead changed; 08/21 - Lead changed; 09/30 - Discussed, list of Q & As is being gathered for review and forwarding to RA.
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; 09/30 - Discussed, covered by GTG HPI Comm Plan, need to decide if this goes through the EDO's or Chairman's office.
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	
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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212	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. (09/23)	J Stang	
213	Update the punch list that will be used to ensure that NRC activities necessary for restart are accomplished with intermediate steps and their due dates. (09/25)	C. Lipa	
214	Discuss with Region III Public Affairs Officers whether to include a discussion of the September 20, 2003, rally sponsored by the Union of Concerned Scientists in the next monthly NRC newsletter. (09/25)	C Lipa	

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215	Contact the Congressional Affairs office to obtain a current listing of Q & A's on matters pertaining to restart and coordinate with Mr. Mendiola to provide an updated package to the Panel for review and incorporation into the Comm Plan.	J Stang	
216	Submit a TIA which addresses issues and questions related to the licensee's 1991 10 CFR Appendix R exemption request regarding Alternative Shutdown (ASD) regulations.	J Lara	