

February 25, 2004

Mr. David Lochbaum
Nuclear Safety Engineer
Union of Concerned Scientists
1707 H Street NW, Suite 600
Washington, D.C. 20555-0001

Dear Mr. Lochbaum:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of February 5, 2004, in which you expressed concern over what you perceive to be the low level of Commission interest in the Davis-Besse Nuclear Power Station, Unit 1 (Davis-Besse), and requested that the Commission conduct a public meeting prior to the restart of Davis-Besse.

As you know, the NRC decision-making process for determining if and under what conditions Davis-Besse may be safely restarted is outlined in NRC Inspection Manual Chapter 0350, "Oversight of Operating Reactor Facilities in a Shutdown Condition With Performance Problems." This process clearly defines roles and responsibilities for oversight of plants, including restart authorization and the level of Commission involvement. The Regional Administrator, in coordination with the Director of the Office of Nuclear Reactor Regulation and the Deputy Executive Director for Reactor Programs, determines if restart should be authorized. The Commission is to be informed of staff's actions relative to possible restart on a continuing basis. I can assure you that all of the Commissioners have been kept appropriately informed of the staff's activities through briefings of individual Commissioners and through dissemination of documentation related to the Davis-Besse Oversight Panel's activities.

I know that I speak for my fellow Commissioners in stating that we have maintained a high level of interest in what has been taking place at Davis-Besse, and we continue to actively follow the Davis-Besse oversight activities. The Commission is satisfied that the NRC staff's activities to date have been appropriate, responsive, and successful in ensuring adequate protection of the public health and safety. Based on these considerations, the Commission does not plan to hold a Commission meeting prior to a decision being made on plant restart.

Sincerely,

/RA/

Nils J. Diaz

February 25, 2004

Ms. Shari Weir
Program Director
Ohio Citizen Action
614 W. Superior Avenue, Suite 1200
Cleveland, Ohio 44113

Dear Ms. Weir:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of February 5, 2004, in which you expressed concern over what you perceive to be the low level of Commission interest in the Davis-Besse Nuclear Power Station, Unit 1 (Davis-Besse), and requested that the Commission conduct a public meeting prior to the restart of Davis-Besse.

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Nils J. Diaz