

**Davis-Besse IMC 0350
Oversight Panel Process Plan**

February 25, 2004

B.1. AGENCY RESPONSE

Note: Items in the "Description" column in **Bold** are required by IMC 0350. Statements in quotations were taken from IMC 0350.

"The panel should focus its restart review efforts on those performance issues and conditions that were identified through the routine reactor oversight process. The performance data, root causes, and their apparent risk impact are to be established early in the process. This information will assist the NRC in characterizing the problems, the appropriate regulatory response, and the adequacy of the licensee's corrective actions. Early management appraisal of the situation is also important to ensure that the proper immediate actions are taken."

<u>TASK</u>	<u>DESCRIPTION</u>	<u>RESPONSIBILITY</u>	<u>PLANNED COMPLETION DATE</u>	<u>ACTUAL COMPLETION DATE</u>	<u>COMMENTS</u> Shaded Items are Complete.
B.1.a	Issue Confirmatory Action Letter (CAL 3-02-001)	RIII/RA	N/A	03/13/02	Complete. ML020730225
B.1.b	Issue Revision(s) to CAL	RIII	N/A	05/15/02 Rev A 12/24/02 Rev B 01/21/03 Rev C 07/17/03 Rev D 09/19/03 Rev E	Complete. ML021360105 ML023600267 ML030220165 ML031990082 ML032650662
B.1.c	Performed AIT inspection (IR 02-03)	RIII/R. Gardner	N/A	Exit 04/05/02 Issued 5/3/02	Complete. ML021260141
B.1.d	Perform AIT Follow-Up Inspection (IR 02-08)	Gavula/Farber/Jacobson	N/A	Exit 08/09/02 Issued 10/02/02	Complete. ML022750524
B.1.e	Perform OI Investigation(s) as Appropriate	OI	N/A	Per OI	Complete. See Allegation Management System for Open Investigations

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B.1.f	Initiate IMC 0350 Process	RIII/RA	N/A	See Steps Below	Complete. See Below
B.1.f.1	Basis for Entry into IMC 0350 (White Paper)		04/29/02	04/29/02	Complete. ML021200431
B.1.f.2	Memo, Dyer to Grobe (Initiate IMC 0350 Process)		04/29/02	04/29/02	Complete. ML021190773
B.1.f.3	Letter, Dyer to Bergandahl (NRC Oversight Efforts Regarding Davis-Besse)		04/29/02	04/29/02	Complete. ML021190661
B.1.f.4	Memo, Grobe to Dyer (IMC 0350 Charter and Process Plan)		05/03/02	05/03/02	Complete. ML021230683
B.1.f.5	Issue Revisions to Charter	Panel	N/A	06/03/02 Rev1 07/25/02 Rev2 08/26/02 Rev3 04/16/03 Rev4	Complete. ML021840651 ML022070669 ML022400273 ML031060669
B.1.g	Review Lessons Learned Task Force (LLTF) Report for Plant Issues and Take Appropriate Action	Lipa/Mendiola	02/28/04	02/17/03	Complete. RIII staff reviewed LLTF report Section 3.2 and issues were incorporated into the Restart Action Matrix.
B.1.h	Support Senior Manager Site Visits	RIII/NRR	N/A	N/A	See List of Senior Manager Site Visits below
B.1.h.1	Jim Dyer and Brian Sheron	RIII/NRR	04/04-05/02	04/04-05/02	Complete.
B.1.h.2	Jon Johnson	RIII/NRR	08/20/02	08/20/02	Complete.

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B.1.h.3	Jim Caldwell	RIII/NRR	09/16/02	09/16/02	Complete.
B.1.h.4	Sam Collins and Jim Dyer	RIII/NRR	10/09/02	10/09/02	Complete.
B.1.h.5	Sam Collins	RIII/NRR	11/13/02	11/13/02	Complete.
B.1.h.6	Bill Borchardt	RIII/NRR	11/20/02	11/20/02	Complete.
B.1.h.7	Bill Kane	RIII/NRR	01/09/03	01/09/03	Complete.
B.1.h.8	Sam Collins and Jim Dyer	RIII/NRR	03/06/03	03/06/03	Complete.
B.1.h.9	Sam Collins and Jim Dyer	RIII/NRR	05/05/03	05/05/03	Complete.
B.1.h.10	John Zwolinski and Brian Sheron	RIII/NRR	05/06/03	05/06/03	Complete.
B.1.h.11	Sam Collins	RIII/NRR	10/07/03	10/07/03	Complete.
B.1.h.12	Jim Caldwell	RIII/NRR	11/10/03	11/10/03	Complete.
B.1.h.13	Brian Sheron/ Tad Marsh	RIII/NRR	11/12/03	11/12/03	Complete.
B.1.h.14	Jim Caldwell	RIII/NRR	01/20/04	01/20/04	Complete.
B.1.h.15	Jim Caldwell/ Jim Dyer/ Sam Collins	RIII/NRR	02/11/04 - 02/12/04	02/12/04	Complete.

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B.2 NOTIFICATIONS AND ONGOING COMMUNICATIONS					
<p>"Notification to industry and public stakeholders of implementation of this manual chapter should be promptly communicated through press releases, letters, and a posting on NRC's Internet home page Web site. Notification should include the NRC's understanding of the performance issues, performance trend history over the last four quarters, and any other pertinent issue or regulatory concern. With regard to the responsibilities of the panel, notification to regional and Headquarters offices of cognizant Federal agencies should have already been performed in accordance with the guidance in IMC 71153, "Event Followup." However, as the review process continues, additional and continuing notifications may be required."</p>					
B.2.b	Issue Preliminary Notification, when appropriate	RIII RPV Head RPV Head RPV Head Discrete Rad Part Discrete Rad Part Crack in Head Clad	PNO-III-02-006 PNO-III-02-006A PNO-III-02-006B PNO-III-02-016 PNO-III-02-016A PNO-III-02-036	03/08/02 03/15/02 04/05/02 04/16/02 04/24/02 09/10/02	Complete. ML020670776 ML020740651 ML020950289 ML021060747 ML021140410 ML022540278
B.2.b.1	Issue Morning Reports, when appropriate	RIII Management Chg Management Chg Management Chg Management Chg Mode 5 Entry Management Chg Management Chg Management Chg Entry into Mode 4/3 NOP Test Susp Management Chg	MR No. 02-009 02-013 02-020 02-022 03-007 03-013 03-025 03-012 03-014 03-016	05/08/02 05/21/02 07/11/02 08/06/02 03/12/03 04/28/03 07/17/03 09/12/03 09/17/03 09/30/03	Complete. ML030760255 ML032550172 ML032600170 ML032731018

Attachment 1

<u>TASK</u>	<u>DESCRIPTION</u>	<u>RESPONSIBILITY</u>	<u>PLANNED COMPLETION DATE</u>	<u>ACTUAL COMPLETION DATE</u>	<u>COMMENTS</u> Shaded Items are Complete.
B.2.c	Conduct Commissioner/ Commissioner assistants' briefings	NRR - Initial Notification - Note to Commission ¹ - Safety Culture Insp. - Walkaround Action Plan for Individuals - Walkaround for Prelim Yellow (Sump) - Walkaround on Oath and Affirmation (Signature Issue) - Walkaround: Individual Status Briefing for Chairman Diaz and Commissioners McGaffigan and Merrifield - Restart Meeting Notice ² / Press Release	03/14/02 04/29/02 ¹ 04/02/03 07/03/03 07/31/03 08/06/03 11/13-18/03 02/12/04 ²	03/14/02 04/29/02 ¹ 04/02/03 07/03/03 07/31/03 08/06/03 11/13-18/03 02/12/04 ²	Complete. ML021200389 ¹ ML040370811 ²
B.2.d	Issue Commission paper	RIII/NRR	N/A	12/01/03	Complete. Per 12/01/03 email from B. Dean, there is no requirement/expectation for a commission paper prior to restart.
B.2.e	Notify cognizant Federal agencies: Federal Emergency Management Agency (FEMA), Environmental Protection Agency (EPA), Department of Justice (DOJ)		N/A	N/A	Complete. Notifications of Other Federal Agencies Not Necessary for Establishment of this DB 0350 Panel

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B.2.f	Notify State and local officials	RIII - Notified State and Local Officials upon Establishment of the 0350 Panel ¹ - Governor Taft Briefing - Status Update Briefing for Governor Taft - County Commissioners - State of Ohio Utility Radiological Safety Board	04/30/02 ¹ 02/27/03 12/09/03 Monthly Quarterly	04/30/02 ¹ 02/27/03 12/09/03 Monthly Quarterly	Complete. ML021200438 ¹
B.2.g	Notify Congress	NRR OCA/NRR/ and Oversight Panel member J. Grobe Have Ongoing Dialogue with Various Congressional Offices	10/24/02 02/04/03 09/22/03	10/24/02 02/04/03 09/22/03	Complete. Rep. Kucinich Field Hearing Commission Briefing of Senate Subcommittee Congress Staff Brief Regularly Brief Staff of Involved Senators and Representatives

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B.2.g.1	Monthly Reports to Congress	RIII/NRR	Dec 2002 Jan 2003 Feb 2003 Mar 2003 Apr 2003 May 2003 Jun 2003 Jul 2003 Aug 2003 Sept 2003 Oct 2003 Nov 2003 Dec 2003 Jan 2004 Feb 2004 Mar 2004	03/07/03 03/28/03 05/02/03 05/28/03 06/20/03 07/18/03 08/18/03 09/12/03 10/16/03 11/25/03 01/21/04 12/05/03 to EDO 01/07/04 to EDO 02/05/04 to EDO	ML030310043 ML030570717 ML030940672 ML031220631 ML031480647 ML031760611 ML032040174 ML032340743 ML032550014 ML032900350 ML033421347
B.2.h	Notify Native American Tribal Governments	OSTP	N/A	N/A	Complete. N/A per Roland Lickus email dated 07/09/03
B.2.i	Completed Notifications of Implementation of IMC 0350	RIII/NRR/OPA/OCA	05/01/02	04/29/02	Complete. Communication Plan ML021200431
B.2.j	Develop Communications Plan for Ongoing Activities	Panel with OPA/OCA	07/31/02	09/06/02	Complete. ML022540513
B.2.k	Review and Update Communications Plan as Necessary	Communication Team	N/A	09/06/02 11/06/03	Complete. Revision 1-ML022540513 Revision 2-ML033110057

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B.2.l	Finalize Periodic Status Reports	RIII/Lipa RIII/OPA Public Affairs Monthly Newsletters ¹ Panel Weekly Reports ²	Ongoing Daily Monthly Weekly	Ongoing Daily Monthly Weekly	Ongoing ML032740132 (pkg) ¹ ML032740120 (pkg) ²
B.2.m	Execute Communication Plan	Communication Team	Ongoing	Ongoing	ML040420414 DB Comm Team Summaries
B.2.n	Develop View Book	Grobe/Lipa	11/01/02	11/01/02	Complete.
B.2.o	Industry Communications/ Presentations	RIII/NRR - IAEA Conference: Management of Safety and Safety Culture - Utility Working Conference (Grobe) - Reg Info Conference (Grobe) - Regional Utility Group (Grobe) - Safety Research Conference - Reg Info Conference (Grobe)	 06/05-06/03 08/08/02 04/16-18/03 06/26/03 10/20-22/03 03/10-12/04	 06/05-06/03 08/08/02 04/16-18/03 06/26/03 10/20-22/03 03/10-12/04	Complete. ML022120093

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B.3 ESTABLISH AND ORGANIZE THE NRC OVERSIGHT PROCESS					
B.3.a	Establish the Restart Oversight panel	Panel	04/30/02	04/30/02	Complete. ML021280284 The first internal Panel meeting discussed the draft charter and initial meeting with the licensee.
B.3.b	Assess available information (i.e., performance indicator [PI] data, baseline and supplemental inspection findings, results of risk studies and event analyses, licensee self-assessments, allegations, performance improvement plan, and industry reviews). This information includes issues and inspection findings that were not directly related to the reason for the shutdown, if they were determined to have risk significance	Panel - Internal meeting minutes from 5/06/02 mtg ¹ - Panel Discussed 2002 End of Cycle Paper - Panel Discussed 2003 Mid Cycle Paper - Discussed PIs and Findings during Panel: 10/30/03 02/03/04 02/17/04 Allegations Are a Standing Panel Agenda Item	N/A	Ongoing 05/06/02 ¹ 02/12/03 07/30/03 10/30/03 02/03/04 02/17/04	ML021430183 ¹ ML033240083

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B.3.b.1	Conduct Significance and Enforcement Review Panel Meetings	Panel - Degraded Reactor Head (Red) - Radiation Protection (White(2)) - Red - Reactor Vessel Head Failure to Implement Corrective Action for Boric Acid Corrosion Program Rpt 03-16 - White - Radiation Protection: Failure to Effectively Monitor Internal Dose - White - Radiation Protection: Substantial Potential for an Overexposure Due to Internal Exposure - Yellow - Containment Sump: Failure to Take Corrective Action on Containment Coatings	N/A 02/06/03 12/12/02 02/25/03 01/07/03 01/07/03 07/30/03	Ongoing 02/06/03 12/12/02 05/29/03 02/19/03 02/19/03 10/07/03	ML030560426 ML030230080 ML031490778 ML030510072 ML030510072 ML032801706
B.3.b.1 (cont'd)	Conduct Significance and Enforcement Review Panel Meetings (cont'd)	- White - HPI Pumps: Failure to Properly Verify Pump Design Adequate for Postulated Accident Scenarios	09/04/03 SERP ¹ 10/08/03 Prelim Notif Ltr ² 12/05/03 Licensee Reply 02/19/04 Re-SERP	09/04/03 10/08/03 12/05/03 02/19/04	ML032671375 ¹ ML032810667 ²

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B.3.c	Develop the Restart Checklist. The criteria for including issues and items on the checklist are any issue, event, or condition identified by the licensee or by the NRC that has risk significance, as determined by the significance determination process (SDP). (Note: shutdown-related issues should be referred to the region and the senior risk analysts (SRAs) for issue-specific risk review until a shutdown SDP has been incorporated into IMC 0305)	Panel - Rev.0 ¹ - Rev.1 ² (added ctmt sump and rad protection program) - Rev.2 ³ (added completeness and accuracy) - Rev.3 ⁴ (added HPI Pump and Relocated HPI and LPI Testing to USAR)	07/31/02 10/30/02 01/28/03 07/02/03	08/16/02 10/30/02 01/28/03 07/02/03	ML022310034 ¹ ML023030590 ² ML030290155 ³ ML031832495 ⁴
B.3.d	Obtain input from involved parties both within NRC and other Federal agencies, such as FEMA, EPA, DOJ.	RIII - Rev. 0 Panel Charter	N/A	05/03/02	Complete. ML021230683 Panel determined that no external input was necessary
B.3.e	Conduct periodic Regional Administrator briefings	RIII	Biweekly	Ongoing	Ongoing RA Briefed per Communications Plan
B.3.f	Conduct periodic NRR Executive Team briefing	NRR	Biweekly	Ongoing	Ongoing Executive Team briefed per Communications Plan
B.3.g	Approve the Restart Checklist	(Regional Administrator)	Complete	Complete	Complete. See B.3.c

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B.3.h	Approve the Restart Checklist (for those issues for which NRR has the technical lead)	NRR Office Director	Complete	Complete	Complete. See B.3.c
B.3.i	Implement the Restart Checklist	Panel	Complete.	Complete	Complete. See B.3.c
B.3.j	Modify CAL or order as necessary.	RIII	Complete.	Complete.	Complete. See B.1.a and B.1.b
B.3.k	Finalize Restart Action Matrix	Lipa/Passehl	03/31/03	04/08/02	Complete. Updated Regularly at Panel Meetings
B.3.l	Maintain Cognizance of Ongoing Reviews of 2.206 Petitions	Panel/ Donna Skay (HQ) Dan Collins (NRR)	N/A	Ongoing	See completed actions below
B.3.l.1	- David Lochbaum et. al. 10 CFR 2.206 Petition ¹ - Dir Decision ²		Incoming Final Decision	04/24/02 ¹ 10/15/02 ²	ML021260444 ¹ ML022620366 ²
B.3.l.2	- Congressman Kucinich 10 CFR 2.206 Petition ³ - Dir Decision ⁴		Incoming Final Decision	02/03/03 ³ 09/12/03 ⁴	ML030370067 ³ ML032480751 ⁴
B.3.l.3	Greenpeace et. al. 10 CFR 2.206 Petition ⁵ - Immediate Action Response ⁶ - Director's Decision ⁷		- Incoming - Immediate Action Response - Director's Decision	08/25/03 ⁵ 11/26/03 ⁶ 02/05/04	Complete. ML032400435 ⁵ ML033010172 ⁶ ML040280003 ⁷

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B.3.m	Issue Inspection Schedule to Licensee	Lipa	N/A Enhanced Inspection Plan	Ongoing 11/27/02 03/31/03 06/30/03 Upon Restart Authorization	Ongoing ML023330485 ML030900753 ML031810288
B.3.n	Determine Which Licensing Actions Needed for Restart	NRR	N/A	09/29/03	Complete. See B.3.c

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B.4 ASSESSMENT OF LICENSEE PERFORMANCE					
<p>"Early establishment of the review areas of concern will help define the methods and the appropriate level of oversight. When the licensee has developed its performance improvement plan (or equivalent), the NRC shall review that plan for completeness and adequacy. The NRC will also need to determine which corrective actions must be required to be implemented before restart and those that can be deferred to some later date as long-term, post-restart corrective actions."</p>					
B.4.1	Licensee Performance Improvement Plan				
B.4.1.a	Evaluate NRC inspection findings, including Augmented Inspection Team, Incident Investigation Team, or other team inspections performed after formation of the panel.	See Inspections Below	N/A	N/A	See Inspections Below
B.4.1.a.1	AIT Inspection IR 02-03	Gardner Start 03/12/02	End 04/05/02	Exit 04/05/02 Issued 05/03/02	Complete. ML021260141
B.4.1.a.2	AIT Followup Inspection IR 02-08	Gavula Start 05/15/02	End 08/09/02	Exit 08/09/02 Issued 10/02/02	Complete. ML022750524
B.4.1.a.3	Reactor Pressure Vessel Head Replacement Inspection IR 02-07	Holmberg Start 02/20/02	End 10/24/02	Exit 10/24/02 Issued 11/29/02	Complete. ML023370100
B.4.1.a.4	Boric Acid Corrosion Extent of Condition Inspection (Containment Health Part I) IR 02-09	Holmberg Start 06/10/02	End 08/01/02	Exit 06/21/02 07/26/02 Issued 09/13/02	Complete. ML022560237

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B.4.1.a.5	Program Effectiveness Inspection Parts I and II IRs 02-11 and 03-09	O'Brien Start 09/09/02 Jacobson Start 03/03/03	End 06/27/03 End 05/23/03	Exit 06/27/03 Exit 05/23/03 Issued 07/07/03	Complete. ML031880844
B.4.1.a.6	Boric Acid Corrosion Extent of Condition Inspection (Containment Health Part II) IR 02-12	Holmberg Start 08/01/02	End 10/24/02	Exit 10/24/02 Issued 11/29/02	Complete. ML023370132
B.4.1.a.7	System Health Assurance IRs 02-13 and 02-14	Farber Start 09/03/02 (IR 02-13) Bartlett Start 09/23/02 (IR 02-14)	End 11/13/02 (Both)	Exit 11/13/02 (Both) Issued 02/26/03 Issued 02/26/03	Complete. ML030630291 ML030630291
B.4.1.a.8	Management and Human Performance Inspection Phase I (Corrective Action Identification) IR 02-15	Wright Start 09/09/02	End 10/04/02	Exit 12/18/02 Issued 02/06/03	Complete. ML030380037
B.4.1.a.9	Uncontrolled Radioactive Material Release and Substantial Potential for Overexposure Special Inspections IRs 02-06 and 02-16	House Start 04/18/02 (IR-06) Kozak Start 09/30/02 (IR-16)	End 12/13/02 (Both)	Initial Assessment 04/25/02 Preliminary Exit/Public Mtg 10/16/02 Final Exit 12/13/02 Issued 01/07/03	Complete. ML030070606
B.4.1.a. 10	Management and Human Performance Inspection Phase II - Corrective Actions (IR 02-18)	Wright Start 10/10/02	End 06/13/03	Exit 06/13/03 Issued 07/24/03	Complete. ML032050528

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B.4.1.a. 11	Design Issues-Path A (System Health Readiness and Latent Issue Reviews) Design Issues-Path B (Safety Function Validation Inspection of 10 Systems) Design Topical Issues-Path C (HELB, EQ, Seismic, Flooding, Appendix R) (IR 03-03)	Farber	End 09/09/03	Preliminary Exit 07/18/03 Final Exit 09/09/03 Issued 10/21/03	Complete. ML032950012
B.4.1.a. 12	Integrated Leak Rate Test Inspection (IR 03-05)	Farber Start 03/28/03	End 07/18/03	Exit 07/18/03 Issued 08/05/03	Complete. ML032230339
B.4.1.a. 13	ECCS and Containment Spray System Sump Inspection (IR 03-06)	Coyne Start 03/31/03	End 04/11/03	Preliminary Exit 04/11/03 Final Exit 06/16/03 Issued 06/17/03	Complete. ML031710897
B.4.1.a. 14	IP 95002 and RP Special Inspection (IR 03-08)	Slawinski Start 02/24/03	End 04/15/03	Exit 04/15/03 Issued 05/30/03	Complete. ML031500693
B.4.1.a. 15	Corrective Action Team Inspection (IR 03-10)	Falevitz	End 09/09/03	Exit 09/09/03 Re-Exit 11/10/03 Quick-Look Memo	
B.4.1.a. 16	Restart Assessment Team Inspection (IR 03-11)	Skokowski	End 12/18/03	Public Exit 12/19/03 Issued 02/04/04	Complete. ML040360097

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B.4.1.a. 17	Management and Human Performance Phase III Inspection - Corrective Action Effectiveness (IR 03-12)	Wright	End 12/18/03	Public Exit 12/19/03	
B.4.1.a. 18	Completeness and Accuracy Inspection (IR 03-19)	Passehl Start 10/20/03	End 11/12/03	Public Exit 11/12/03 Issued 01/28/04	Complete. ML040280594
B.4.1.a. 19	Normal Operating Pressure Leak Inspection (IR 03-23)	Jacobson Start 09/08/03	End 12/05/03	Exit 11/6 Issued 12/5/03	Complete. ML033421074
B.4.1.a. 20	Backlog Inspection (IR 03-24)	Parker/Burgess Start 11/17/03	End 11/21/03	Exit 12/03/03 Issued 01/05/04	Complete. ML040060504
B.4.1.a. 21	Followup Management and Human Performance Inspection (IR 04-03)	Wright Start 01/26/04	End 02/06/04	Public Exit 02/12/04 Quick-Look Memo	
B.4.1.a. 22	Followup Restart Assessment Team Inspection (IR 04-04)	Skokowski Start 02/02/04	End 02/06/04	Public Exit 02/12/04 Quick-Look Memo	

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<u>TASK</u>	<u>DESCRIPTION</u>	<u>RESPONSIBILITY</u>	<u>PLANNED COMPLETION DATE</u>	<u>ACTUAL COMPLETION DATE</u>	<u>COMMENTS</u> Shaded Items are Complete.
B.4.1.b	Evaluate the licensee's performance improvement plan and associated root cause determination and corrective action plans.	Panel Return to Service Plan - Rev.0 ¹ - Rev.1 ² - Rev.2 ³ - Rev.3 ⁴ - Rev.4 (Not Issued) - Rev.5 ⁵ - Rev.6 ⁶	N/A	Various 05/21/02 07/12/02 08/21/02 09/23/02 (Not Issued) 01/09/03 04/06/03	Complete. ML021430429 ¹ ML022030464 ² ML022670616 ³ ML022740488 ⁴ (Not Issued) ML030150732 ⁵ ML031000739 ⁶
B.4.1.b.1	Evaluate Technical Root Cause	NRR Attachment 1 to Resident IR 03-04	End 03/31/03	Exit 03/28/03 Issued 05/09/03	Complete. ML031320705
B.4.1.b.2	Evaluate Management Root Cause	Wright Start 10/10/02	End 06/13/03	Exit 06/13/03 Issued 07/24/03	Complete. ML032050528
B.4.1.c	Evaluate all allegations involving reactor safety, radiation safety, or security. Any allegations determined to have merit and risk significance should be included on the Restart Checklist.	Panel Panel established criteria for allegations that need to be resolved prior to restart (04/03/03 Minutes) ¹ Panel revised criteria for allegations that need to be resolved prior to restart (02/05/04 Minutes)	Weekly	Weekly	Discussed at Each Internal Panel Meeting ML031210498 ¹

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B.4.1.c.1	Identify and Communicate Allegation Themes	RIII/ Phillips Panel Held Several Discussions on Issuing Chilling Effect Letter	N/A Panel Minutes: 01/21/03 ¹ 01/31/03 ² 02/24/03 ³ 03/25/03 ⁴	As Necessary Discussed with B. Berson and L. Jarriel, no chilling effect letter needed presently. Per minutes, ⁴	Complete. ML030640446 ¹ ML030870235 ² ML030920511 ³ ML030920644 ⁴
B.4.1.c.2	Determine Approach to evaluate/respond to OI Investigation Results	RIII lead NRR/OE/OGC Panel approved decision on strategy	09/30/03	- Charter Issued - Completed Phase 1; 07/23/03 - Completed Phase 2; 12/10/03	See Davis-Besse Allegation Files.
B.4.2	External Stakeholder Comments "Throughout the duration of the plant shutdown and until the plant is returned to the routine oversight process, solicitation of comments from diverse sources may be appropriate. The decision to solicit comments from a group and determination of the level of participation should be made on a case-by-case basis. Input from these groups should be factored into the restart process, as appropriate. If needed, comments concerning the adequacy of State and local emergency planning and preparedness should be obtained from FEMA headquarters through NRR."				
B.4.2.a	Obtain public comments	Panel	N/A	Ongoing	List of Public Meetings on Davis-Besse web site See Communication Plan B.2.m (ML040420414)

Attachment 1

<u>TASK</u>	<u>DESCRIPTION</u>	<u>RESPONSIBILITY</u>	<u>PLANNED COMPLETION DATE</u>	<u>ACTUAL COMPLETION DATE</u>	<u>COMMENTS</u> Shaded Items are Complete.
B.4.2.b	Obtain comments from State and local officials	RIII/ Lickus	N/A	Ongoing	Ohio Governor Taft Briefing Held 02/27/03 Ohio Governor Taft Briefing Held 12/09/03 Monthly meetings with county/local officials Quarterly meetings with State of Ohio Utility Radiological Safety Board
B.4.2.c	Obtain comments from applicable Federal agencies	- NRC Letter to FEMA to Confirm No Objections to Restart ¹ - FEMA Letter Stating No Objections to Restart ² - NRC Report on EP Drill performance - FEMA Report on EP Drill performance - OE and OI are coordinating with DOJ on Davis-Besse issues consistent with NRC policy. - FEMA Letter Verifying No Objections to Restart	 02/25/04	04/25/03 05/05/03 07/11/03 Ongoing 02/24/04	ML030510600 ¹ ML032460858 ²
B.4.2.d	Obtain comments from Native American Tribal Governments	OSTP	N/A	N/A	Complete. N/A per Roland Lickus email dated 07/09/03

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B.4.3	Closeout Actions "When the licensee has completed actions to resolve the restart issues and has substantially addressed significant concerns, the NRC needs to conduct closeout activities to independently verify that corrective actions required before restart are complete and that the plant is physically ready for restart. This section specifies actions associated with completion of significant NRC reviews and preparations for restart."				
B.4.3.a	Evaluate the licensee's restart readiness self-assessment	RIII	Integrated Restart Report ¹ Supplement NRR Review of licensee reports	Submitted 11/23/03 ¹ 02/06/04 02/17/04	ML03336025 ¹
B.4.3.b	Resolve all restart issues described in the Restart Checklist	Panel	N/A	02/20/04	Complete.
B.4.3.c	Conduct appropriate NRC restart readiness team inspection(s) (e.g., operational safety team inspection, operational safety assessment team, safety system functional inspection).	RIII/Skokowski IR 03-11 ¹ IR 04-04 Finding documented in Quick-Look memo	RRATI 1 12/08-18/03 ¹ RRATI F/U 02/02-06/04	02/06/04 ¹	See B.4.1.a.16 ML040360097 ¹
B.4.3.c.1	Regional Administrator individual meetings with Available Team Leads for Special Inspections During Outage		12/8/03 to 12/19/03	02/23/04	Complete.

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B.4.3.d	Develop restart coverage inspection plan. Use guidance contained in IMC 2515 Appendix B, IMC 0305, and in other appropriate documents	Scott Thomas	Before Restart	01/30/04	Draft Plan to Panel 12/18/03. Final Plan to Panel/Approved 01/30/04
B.4.3.e	Disposition comments from other parties (External to NRC)	Panel Comm Team	01/15/04 02/20/04	01/06/04 02/20/04	Panel Discussions 11/25/03, 12/18/03, 01/06/04 See DB Comm Memo ML040420414
B.4.3.f	Determine that all conditions of the order/confirmatory action letter are satisfied. [If applicable, the NRC and the licensee should clearly understand what actions remain to be completed and what will be required of the licensee to demonstrate their completion.]	Panel CAL 3-02-001 ¹ - Rev A ² - Rev B ³ - Rev C ⁴ - Rev D ⁵ - Rev E ⁶ - Rev F	 03/13/02 05/15/02 12/24/02 01/21/03 07/17/03 09/19/03	 03/13/02 05/15/02 12/24/02 01/21/03 07/17/03 09/19/03	Specific CAL Issues on Restart Action Matrix ML020730225 ¹ ML021360105 ² ML023600267 ³ ML030220165 ⁴ ML031990082 ⁵ ML032650662 ⁶ Panel Minutes 02/20/04
B.4.3.g	Verify that the Restart Checklist is complete	Panel	02/23/04	02/23/04	Complete.
B.4.4	Definition of Restart Complete	Panel CAL Letter Rev B	12/24/02	12/24/02	Complete. ML023600267
B.4.5	Conduct Meeting with Licensee to Discuss Restart Readiness	Panel	02/12/04	02/12/04	Complete. Public Meeting 6-10pm

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B. 5 RESTART AUTHORIZATION					
"When the restart oversight process has reached the point at which the issues have been identified, corrected, and reviewed, the restart authorization process is begun."					
B.5.a	Prepares the restart recommendation memorandum to the Regional Administrator and the restart authorization letter to the licensee establishing the basis for restart	Panel	02/25/04	02/25/04	Complete.
B.5.a.1	Prepare any necessary regulatory activities that are needed concurrent with the restart decision (e.g. Amendment, CAL etc.)	Panel	02/25/04	02/25/04	Restart Authorization Letter closes the CAL.
B.5.b	Determine that no restart objections from the region, NRR, or other applicable Headquarters offices or Federal agencies exist	Panel	02/25/04	02/24/04	List of Agencies to coordinate with: FEMA, DOJ
B.5.b.1	Determine That There Are No Restart Objections from Federal Agencies	Panel	02/25/04	02/24/04	Received Re-verification Letter from FEMA 02/24/04. Received email from NRC contact with DOJ 02/23/04.

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B.5.b.2	Determine That There Are No Restart Objections from NRC Staff	Panel	02/23/04	02/23/04	Intra-Agency Emails sent. Responses and Resolutions will be placed in ADAMS package. (ml033530241) Specific Issues are listed on RAM. All concerns addressed.
B.5.c	Obtain approval of the Regional Administrator for restart	Panel			
B.5.d	Obtain concurrence for restart from the Director of NRR	Panel			
B.5.e	Obtain concurrence from the Deputy Executive Director for Reactor	Panel			
B.5.f	Obtain concurrence for restart from the Executive Director for Operations, if required.	Panel	02/20/04	02/20/04	Complete. EDO concurrence not required.
B.5.g	Conduct a briefing for the Advisory Committee on Reactor Safeguards (ACRS), if requested	NRR	02/20/04	02/18/04	As of 02/18/04, none requested.

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B.5.h	Conduct a briefing for the Commission, if requested.	NRR	02/25/04	02/25/04	Complete. As requested, brief given to Commissioner TAs on Panel recommendation for restart 02/25/04.
B.5.i	Obtain the Commission approval or concurrence for restart, if required.	NRR/EDO	02/20/04	02/20/04	Complete. Per 02/20/04 email from B. Dean, there is no requirement/expectation to get Commission approval for restart.
B.5.j	Authorize restart (note: once approval is given, external stakeholders should be notified by telephone and provided a copy of the restart authorization letter and press release, as applicable)	Regional Administrator			

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B.6 RESTART AUTHORIZATION NOTIFICATION					
"Notify the applicable parties of the restart authorization. Notification should generally be made by memorandum or other format consistent with the level of formality required. Communication of planned actions is important at this stage to ensure that NRC's intentions are clearly understood."					
B.6.a	Commission (if the Commission did not concur in the restart authorization)	NRR			
B.6.b	EDO (if the EDO did not concur in the restart authorization)	NRR			
B.6.c	Office of Congressional Affairs	OCA/NRR			
B.6.d	ACRS (a briefing may be substituted for the written notification if the ACRS requests one)	NRR			
B.6e	Applicable Federal agencies	NRR			
B.6.f	Office of Public Affairs (OPA)	RIII/NRR			
B.6.g	State and local officials	RIII			
B.6.h	Congress	OCA			
B.6.i	Media (by a press release)	OPA			
B.6.j	Citizens or groups that expressed interest during the restart approval process	RIII			

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B.6.k	International Programs for those sites in which emergency planning zones cross international boundaries	OIP	N/A	N/A	
B.6.l	Native American Tribal Governments	OSTP	N/A	N/A	
B.6.m	Conduct Briefing with Ohio Governor Taft	Jim Dyer/Jack Grobe Jim Caldwell/Jack Grobe Gov. requested phone notification should Restart be authorized.	02/27/03 12/09/03	02/27/03 12/09/03	Complete. Gov. briefed Complete. Gov. briefed

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<p>B.7/8 POST RESTART OVERSIGHT AND TERMINATION OF THE IMC 0350 PROCESS</p> <p>NOTE: The actions depicted below will be incorporated into the 0350 Oversight Panel Post Restart Process Plan and the section header is provided here only for clarification purposes.</p> <p>"After the NRC has granted approval for the licensee to resume reactor operations, the panel should remain involved in an oversight capacity for at least one quarter following plant restart. The panel should assess whether a longer period of time is warranted based on licensee performance. The length of time of post-restart oversight may vary, depending on a case-by-case basis and evaluation. If operation post-restart oversight beyond two quarters is warranted, then a recommendation to the Regional Administrator and the Director of NRR to continue the oversight activities should be made. At the end of each quarter, the panel should evaluate the performance data and any inspection findings and make subsequent step adjustments in the appropriate level of NRC oversight activity.</p> <p>Upon an acceptable post-restart period of operation of the plant, the Panel may recommend termination of the IMC 0350 process and a return to the routine oversight process (see Section 07.02). Although it is expected that at least one quarter of operation is required, the panel may recommend continuing the oversight activities, provided the panel provides adequate justification and documentation. A final letter documenting the results of its post-restart review and oversight efforts should be issued to the Regional Administrator by the panel. The letter should give the basis for the panel's conclusion to terminate its oversight activities and to return the plant to the routine oversight process. On the basis of the recommendations of the panel, the Regional Administrator, in consultation with the Director of NRR and the Deputy EDO Executive Director for Regulatory Reactor Programs, will decide whether a return to the routine oversight process is warranted. Once the decision is made to terminate the IMC 0350 process, a letter should be sent to the licensee informing it of the staff's position, including pertinent information such as the panel's summary assessment of the resolution of the restart checklist issues, the basis for the decision to return the plant to the routine oversight process, and the expected termination date."</p>					