

March 11, 2004

MEMORANDUM TO: Davis-Besse Oversight Panel

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

SUBJECT: REVISED JULY 22, 2003 MINUTES OF INTERNAL MEETING OF THE DAVIS-BESSE OVERSIGHT PANEL (Revised RAM Closure Attachment)

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 July 22, 2003. Attached for your information are the minutes from the internal meeting of the Davis-Besse Oversight Panel, the "Open" Action Items List, and the Restart Action Matrix Item closed at this meeting.

Attachments: As stated

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

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DATE	03/11/04		03/11/04		03/11/04	

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

DATE: July 22, 2003

TIME: 1:00 p.m. Central

ATTENDEES:

J. Grobe	J. Jacobson	N. Shah
M. Phillips	J. Hopkins	K. Riemer
D. Hills	A. Mendiola	J. House
J. Rutkowski	R. Gardner	D. Nelson
C. Lipa	R. Dailey	

Agenda Items:

1. Discuss/Approve Today's Agenda

The Panel approved the agenda, but modified the order of presentations and deferred the item related to discussing the differences between the final and preliminary Haber report for two weeks. **THE APPROVED AGENDA REFLECTS THE ORDER LISTED IN THESE MINUTES.**

2. Discuss Pending General Accounting Office (GAO) Audit Visits

J. Grobe briefed the Panel on the upcoming GAO audit schedule. There is a whole new team to do the audit. The original team, including the cognizant Division Director has either retired or moved to a different job as part of their rotation. None of the team members have nuclear experience, although one member of the team did participate in the audit of NRC done in the 1980s. The team has three requesters, Voinovich, Kucinich, and LaTourette. A comment made by one of the new team members was that based on her review of the material gathered to date, the issues from 20 years ago look like they still exist. The GAO team wants to go to the site on September 8, 2003, tour the site, meet with the Oversight Panel on Tuesday, and then travel to the regional office Tuesday afternoon and spend Wednesday and Thursday in the regional office. Dave Passehl will run the public meeting instead of Christine, with Christine traveling back with the team to be in the regional office while the team is in Region III.

3. Discuss Results of Electrical Issues Inspection

R. Gardner and R. Daily briefed the Panel on the inspection of the four electrical issues addressed by RAM Items C-26, C-30, C-31, and C-32. They will be preparing closure forms for these four items.

4. Discuss Emergency Preparedness Issues in the RAM, Specifically IP95003, Performance Indicators, Etc.

K. Riemer discussed the need for the 95003 inspection from an Emergency Preparedness viewpoint. Based on discussions he had with Jeff Jacobson, the 95003

procedure was not geared to an MC 0350 plant. Mr. Riemer was to look at the licensee data to determine if they did a program review. Mr. Phillips would provide Mr. Riemer the closeout forms, and an example to address the open EP RAM items (SUP 25-29, SUP-40, SUP-43, SUP-47, and SUP 54-57).

5. Discuss Status of Management and Human Performance Inspection Activities

G. Wright provided a status update on Phase 3 of the Management and Human Performance Team inspection. Several concerns were raised by the team involving the licensee's new tool for assessing organizational performance, or "safety culture" at the facility. These concerns related to the roll up process and the level of results necessary to conclude that the plant was ready for restart. The Panel agreed that there was a need to develop a strategy on how to engage the licensee. Since Mr. Wright was on travel, the Panel decided to postpone the decision on how to engage the licensee to the next Panel meeting.

6. Discuss Status of Restart Checklist Item 3.h (Radiation Protection Program)

J. House and D. Nelson discussed the results of the recent RP inspection. Based on the inspection results, the Panel concluded that Restart Checklist Item 3.h is closed. Closure documentation will be provided in a feeder to resident inspection report. In addition, closure document for RAM Item C-33 will also be provided to RPB4.

7. Discuss Status of Restart Checklist Item 2.c.1 (Emergency Core Cooling System and Containment Spray System Sump)

D. Hills discussed Mr. Coyne's evaluation of the new calculations performed to satisfy the issues raised during the original inspection. The panel noted that the acceptability of this item rested on the acceptability of the licensee's transport analysis (unqualified coating assumptions, rogue fiber assumptions, etc.), which had not been inspected. The Panel agreed to hold this item open pending the resident inspection staff reviewing the transport analysis for acceptability.

8. Discuss Status of Restart Checklist Item 3.d (Boric Acid Corrosion Management Program)

N. Shah discussed the results of this item, and indicated that all of his issues had been addressed. Based on the discussion, the Panel agreed that this item is closed and will document closure of Restart Checklist Item 3.d in the next resident inspection report.

9. Discuss Status of Restart Checklist Item 3.c (Quality Audits and Self-Assessment of Programs)

J. Jacobson discussed the quality audits and self-assessment program. The licensee had looked at all condition reports generated as a result of the Program Reviews, and had done a collective significance review. It was unclear to the Panel whether the licensee had a continuing effort to do self-assessments of its programs, or whether this was a once-only effort. The checklist item related to the development of a program for continuous self-assessments. The Panel agreed that this area needs to be revisited to ensure that the licensee had the right message on what this item encompassed.

10. Discuss Allegation Number RIII-2002-A-0088

M. Phillips informed the Panel that the due date for completion of this allegation was August 22, 2003. Of concern was the fact that the allegation needed to be completed prior to restart. The Panel decided to table discussion on this issue until the next Panel meeting. If the first Mode 4 date was delayed into September, the concern over the scheduled completion date for this allegation would become moot.

11. Discuss Any Allegations for Which an Extension Was Requested

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

12. Discuss Closed Restart Action Matrix (RAM) Items and Closure Forms

M. Phillips presented the closed Restart Action Matrix (RAM) items and closure forms. The Panel decided to hold SUP-61 open pending a discussion between J. Grobe and C. Carpenter. **THE PANEL APPROVED THE CLOSURE FORM FOR ITEM CAL-01. THE FINAL CLOSURE FORM IS ATTACHED TO THESE MINUTES.**

13. Discuss Section B4 of Process Plan

C. Lipa discussed Section B4 of the Process Plan. The Panel also revisited item B.2.c, where the Panel wanted to ensure that the plan included the walkaround TA briefs for specific issues, such as the Management and Human Performance Inspection, the Red finding, etc. If the exact date could not be determined, the Panel wanted at least the month referenced. Mr. Passehl was to incorporate the Panel's comments.

14. Discuss Office of Investigation Issues

The Panel decided that Section B.4 of the Process Plan would be broadened to address all of the items that were going on related to the Investigation, (special team set up for Phase 1 and Phase 2 reviews, etc.).

15. Discuss Action Items

The Panel discussed recent Action Items.

Item 24a (Open) - Discuss making information related to HQ/licensee calls publicly available.

The Panel would await verification that all samples had been received at the Battelle Pacific Northwest Laboratories before making the information public and closing this item.

Item 73 (Open) - Send feedback form on IMC 0350 procedure to IIPB.

Christine obtained a two month extension for this item. It is now due September 1.

Item 156 (Closed) - Read Generic Safety Issue-191, "Assessment of Debris Accumulation on PWR Sump Pump Performance"

This item was closed based on sufficient completion of sump inspection and generic process in place to address the issue.

Item 174 (Closed) - Review 2/4 transcript for Mr. Witt's recommendations.

Mr. Lickus completed the review and the letter was sent. This item is closed.

Item 189 (Open) - Investigate how the NRC handled communication of potential inspection issues and findings during in-progress inspection work at Millstone in regards to their organization and human performance problems.

The Panel decided to change the lead on this item to Mr. J. Stang.

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

Scott to update J. Grobe some time in early August.

Item 200 (Open) - Draft a TIA letter to send to W. Ruland regarding whether the proposed modification that the licensee is performing to the high pressure injection pumps is sufficient to address the design deficiency.

This item was taken off hold and questions were to be developed and forwarded to NRR addressing the broad issues by D. Chyu.

Item 204 (Open) - Send an e-mail to E. Merschoff and L. Chandler inquiring how the Panel should handle the correspondence in ADAMS.

J. Grobe sent e-mail on July 15, 2003. Awaiting reply.

16. Discuss Mid-Cycle Performance Summary

The Panel discussed the schedule for the Mid-Cycle Performance Summary, scheduled for July 30, 2003.

17. Discuss Significance and Enforcement Review Panel (SERP) Status

The Panel discussed the two issues for which SERPs had either been conducted or were planned. A SERP Panel had been held for the containment sump issue, and the preliminary Yellow finding was to be issued with inspection report 03-15, due to be issued on July 30, 2003. The Panel discussed whether the HPI SERP should be delayed until the licensee completed its analysis, or move forward. The Panel decided to table this item until next week's Panel meeting.

18. Discuss New/Potential Licensing Issues

The Panel discussed new/potential licensing issues. The Panel concluded that pending the results of the licensee's evaluation that it was ok to go to Mode 3 in its current condition, the licensee may need a license amendment due to potential for pressure boundary leakage from the lower head.

19. Discuss Items for Licensee Weekly Calls

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

20. 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

Item Number	Action Item (Date generated)	Assigned to	Comments
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 John Jacobson.</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.

DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST

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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.
156	Read Generic Safety Issue-191, "Assessment of Debris Accumulation on PWR Sump Pump Performance" (01/09)	C. Lipa	01/21 - Determine status of GSI-191; 02/21 - Check GL98-04 response on coatings. Draft GL and Draft Reg Guide needs review for DB relevance; 02/24 - Request Response Review and Program Implementation to GL98-04; 03/04 - activity to be reassigned to Reactor Engineer who will close sump LER; 04/08, D. Hills to discuss with K. Coyne and A. Dunlop work assignments; 06/17 - K. Coyne requested to review the emergency sump modification against the Bulletin 2003-01; 7/1 - Discussed and reassigned lead; 7/22 - Closed based on sufficient completion of sump inspection and generic process in place.
174	Review 2/4 transcript for Mr. Witt's recommendations (2/18)	R. Lickus	7/1 - In review; 07/22 - Review completed and letter sent. Closed.

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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	
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	
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)	T. Mendiola	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.

DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST

Item Number	Action Item (Date generated)	Assigned to	Comments
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.	S. Thomas	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
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 by D. Chyu.

DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST

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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.
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	
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. Merschoff 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.

RAM Item No. - CAL-01

Closed: Y

Description of Issue - Quarantine components or other material from the RPV head and CRDM nozzle penetrations that are deemed necessary to fully address the root cause of the occurrence of degradation of the leaking penetrations. Prior to implementation, plans for further inspection and data gathering to support determination of the root cause will be provided to the NRC for review and comment.

Description of Resolution - Per the CAL update issued on July 17, 2003, this item is closed and the old RPV head released from quarantine upon shipment of the samples specified in the CAL item to Battelle Northwest Laboratory (BNL). On July 17, 2003, these samples left the site by truck bound for BNL. As noted in the July 17, 2003 CAL update, the quarantine is lifted following removal of the material and its shipment to BNL. Therefore, this CAL item is closed.

Reference Material - See CAL update letters dated December 24, 2002 (ADAMS Accession No. ml023600267), January 21, 2003 (ADAMS Accession No. ml030220165) and July 17, 2003 (ADAMS Accession No. ml031990082).