

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 SEPTEMBER 2, 2003 MINUTES OF INTERNAL MEETING OF THE DAVIS-BESSE OVERSIGHT PANEL  
(Additional Attachments Incorporated)

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 2, 2003. Attached for your information are the minutes from the internal meeting of the Davis-Besse Oversight Panel and **the approved Completeness and Accuracy of Information and Records inspection plan.**

Attachments: As stated

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

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OFFICE	RIII		RIII		RIII	
NAME	RBaker		CLipa		/RA by C. Lipa Acting for/ JGrobe	
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: September 2, 2003

TIME: 12:00 p.m. Central

ATTENDEES:

J. Grobe	C. Lipa	T. Mensah
D. Passehl	J. Strasma	M. Phillips
T. Mendiola	A. Muniz	B. Ruland
J. Stang	C. Araguas	J. Hopkins

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 Communication Status

Mr. Stang led a discussion on status of the Panel's draft Communication Plan. The Communication Plan describes the goals, strategies, tools, and resources for achieving integrated communication with both internal and external stakeholders. Panel members will provide comments on the draft Plan for discussion and approval at a future Panel meeting.

3. Discuss Letters Action Plan/Communication on First Mode 4

Mr. Strasma, led a discussion on the Action Plan for response to letters and emails from the public regarding restart of Davis-Besse. RIII Public Affairs provided a draft response letter for comment to Panel members. The Communication Team has action to approve the Letters Action Plan prior to presentation to the Panel for approval. The Panel named Roger Doornbos as the overall owner of this Plan.

The Panel held extensive discussion on its communication strategy for plant entry into the first Mode 4. Ms. Lipa and Mr. Strasma took action to work up a communication plan for first Mode 4. In addition, the Panel determined that a Preliminary Notification or Press Release be prepared to communicate entry into first Mode 4.

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

Mr. Rutkowski led a discussion on plant status and inspector insights and the emergent issues list. In addition, Mr. Rutkowski briefed the Panel on the exit meeting held on August 28, 2003, for Inspection Report 03-17.

5. Discuss/Approve Closure of Restart Checklist Item 2c1, "Emergency Core Cooling System and Containment Spray System Sump"

The Panel approved closure of Restart Checklist Item 2c1, "Emergency Core Cooling System and Containment Spray System Sump." The Item will be documented in Inspection Report 03-17.

6. Discuss/Approve Inspection Plan to Address Restart Checklist Item 3.i, "Process for Ensuring Completeness and Accuracy of Required Records and Submittals to the NRC."

Mr. Passehl led a discussion on the inspection plan to address Restart Checklist Item 3.i, "Process for Ensuring Completeness and Accuracy of Required Records and Submittals to the NRC." Mr. Passehl will incorporate comments and obtain approval within Region III on the inspection plan.

7. Discuss August Monthly Report to Congress

Ms. Lipa led a discussion on the August monthly report to Congress. Mr. Passehl will incorporate comments.

8. Discuss Status of and Where Inspection Should Document Patricia Loughheed's Inspection of the RCP issue.

The Panel determined that Patricia Loughheed's inspection of the RCP issue should be documented in Inspection Report 03-17.

9. Discuss CAL Revision

Mr. Phillips led a discussion on a revision to the Confirmatory Action Letter which proposes to close out Issues 1 and 2. Comments were provided to Mr. Phillips to incorporate into the final version.

10. Discuss New Allegations

Mr. Phillips led a discussion on one new allegation. The Panel determined that another Allegation Review Board should be held on this new allegation after further evaluation is complete.

11. Discuss Any Allegations for Which an Extension Was Requested

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

12. Discuss New/Potential Licensing Issues

Mr. Hopkins informed that Panel that there were no new licensing issues. Mr. Hopkins mentioned that the licensee was evaluating a potential Licensing Amendment Request to be submitted after restart regarding the decay heat pit.

15. Discuss/Update Milestones and Commitments

The Panel reviewed and discussed upcoming milestones and commitments.

## **INSPECTION PLAN, Revision 1**

### **Completeness and Accuracy of Information and Records**

#### **Davis-Besse Nuclear Power Station**

#### **Inspection Report Number 50-346/2003019(DRP)**

(Do not share this Inspection Plan with the licensee)

### **Inspection Objectives**

The objective of this inspection is to conduct an assessment of the licensee's efforts to address Restart Checklist Item 3.i, "Process for Ensuring Completeness and Accuracy of Required Records and Submittals to the NRC." The results of this inspection will enable the NRC to gain a level of confidence in the quality of the licensee's submittals such that the NRC can have reasonable assurance in the completeness and accuracy of the licensing basis and other important communications with the NRC.

Note: Inspection for some of the individual deficiencies are being addressed separately by the Office of Investigation.

At the conclusion of this inspection, the team will present its findings to the Davis-Besse Oversight Panel. The NRC will use the findings from this inspection as input for the staff's restart readiness assessment.

**Inspection Dates:** Week of October 20, 2003

**EXIT:** November 12, 2003

### **Applicable Inspection Procedures**

IP 93812, "Special Inspection"  
Others as Noted

Prepared by:       /RA/       10/15/03  
David G. Passehl  
Project Engineer

Reviewed by:       /RA/       10/15/03  
Christine A. Lipa, Chief  
Reactor Projects Branch 4

Approved by :       /RA/       10/15/03  
John A. Grobe, Chairman  
Davis-Besse Oversight Panel

## **INSPECTION PLAN, Revision 1**

### **Completeness and Accuracy of Information and Records** **Davis-Besse Nuclear Power Station** **Inspection Report Number 50-346/2003019(DRP)**

#### **DETAILS**

##### **I. Inspectors**

D. Passehl, RIII Project Engineer (Team Leader)  
J. Hopkins, NRR Project Engineer  
B. Berson, Regional Council

##### **II Detailed Inspection Schedule**

Preparation: Week of October 13, 2003

Onsite Inspection: Week of October 20, 2003

Exit Meeting: November 12, 2003

Inspection Report Input Preparation:

Inspection report inputs should be developed during the week following the onsite inspection week. Completed inputs should be provided to the lead inspector by the close of business Friday of the second week following the onsite inspection week.

A draft report will be completed for management review, comment, and concurrence by approximately three weeks following the last week of onsite inspection.

Licensee Contacts:

Davis-Besse Lead: Kevin Ostrowski, Manager - Regulatory Affairs (419) 321-8450  
Regulatory Interface Lead: Gary Becker (7916)

##### **III. Applicable Inspection Procedures and Other Guidance**

Inspection Procedure IP 93812, "Special Inspection," will provide overall guidance for this effort. Other inspection procedures listed below will be used for guidance as needed:

IP 71152 Identification and Resolution of Problems

IP 95002 Supplemental Inspection for One Degraded Cornerstone or Any Three White Inputs in a Strategic Performance Area

IP 95003 Supplemental Inspection For Repetitive Degraded Cornerstone Multiple Degraded Cornerstone, Multiple Yellow Inputs, or One Red Input

## INSPECTION PLAN, Revision 1

### **Completeness and Accuracy of Information and Records** **Davis-Besse Nuclear Power Station** **Inspection Report Number 50-346/2003019(DRP)**

**Note:** 10 CFR 50.9, "Completeness and Accuracy of Information," states:

(a) Information provided to the Commission by an applicant for a license or by a licensee or information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects.

(b) Each applicant or licensee shall notify the Commission of information identified by the applicant or licensee as having for the regulated activity a significant implication for public health and safety or common defense and security. An applicant or licensee violates this paragraph only if the applicant or licensee fails to notify the Commission of information that the applicant or licensee has identified as having a significant implication for public health and safety or common defense and security. Notification shall be provided to the Administrator of the appropriate Regional Office within two working days of identifying the information. This requirement is not applicable to information which is already required to be provided to the Commission by other reporting or updating requirements.

#### **IV. Inspection Requirements**

This inspection is scheduled to precede the Davis-Besse reactor restart from an extended outage. The goal is to sample a reasonable number of activities to gain confidence in the completeness and accuracy of licensing basis and other important communications with the NRC. Results of this inspection will be factored into MC 0350 Restart Checklist Item 3.i, "Process for Ensuring Completeness and Accuracy of Required Records and Submittals to the NRC."

Specific inspection requirements will include:

- a. Review licensee Restart Action Plan Documents:
  - "Criteria for the Extent of Condition Review for Completeness and Accuracy of Prior Submittals to the NRC."
  - "Sample Selection for the Initial Review of Completeness and Accuracy of Prior Submittals to the NRC."
  - Implementation Action Plan PR-IAP-3i-01, "Process for Ensuring Completeness and Accuracy of Required Records and Submittals to the NRC."
  - Procedure NOP-LP-4007, "NRC Correspondence Review and Approval Process."



## INSPECTION PLAN, Revision 1

### Completeness and Accuracy of Information and Records Davis-Besse Nuclear Power Station Inspection Report Number 50-346/2003019(DRP)

- Procedure NG-RA-00804, "NRC Communications."
- Procedure NG-RA-00807, "Regulatory Reports."
- Policy NOPL-LP-4001, "Completeness and Accuracy of Information."

#### A. Review of History

- a. Perform a detailed review of a "smart sample" of submittals evaluated by the licensee to assess the quality of the licensee's work. The sample will be selected from responses to Generic Letters; responses to NRC Bulletins; License Amendment Requests; changes to licensing basis documents such as the Quality Assurance Program, Emergency Plan, and Safeguards Plans; and Licensee Event Reports. NRC inspectors should perform field verification of statements of facts as much as possible. **(All)**
- b. Perform a review of discrepancies which the licensee evaluated and concluded were not material in accordance with 10 CFR 50.9. Determine whether the licensee's conclusion was incorrect. **(Berson)**
- c. Perform a detailed review of a "smart sample" of any recent submittals which were not evaluated by the licensee's 10 CFR 50.9 project team to assess the quality of work and conformance to procedures. **(All)**

#### B. Review of Future

- a. Review the quality and extent of training provided to licensee employees regarding compliance with 10 CFR 50.9 with particular focus on employees who write submittals to the NRC. **(Berson)**
- b. Interview selected individuals who write submittals to the NRC to determine how they verify completeness and accuracy in the submittals. **(All)**

#### C. Review of Licensee's Restart Checklist Item 3i Closure Report

- a. Review the licensee's Restart Checklist Item 3i Closure Report to assess the licensee's conclusions and basis for closure of this Item. **(All)**

#### D. Review of Licensee Notification Letters

- a. Review the licensee's letters of July 15, August 15, and September 15, 2003, notifying the NRC of information provided that may not be complete and accurate in all material respects. Letters need to be dispositioned regards to enforcement.

## **INSPECTION PLAN, Revision 1**

### **Completeness and Accuracy of Information and Records** **Davis-Besse Nuclear Power Station** **Inspection Report Number 50-346/2003019(DRP)**

#### **E. Restart Action Matrix (RAM) items**

There are no RAM items applicable to this inspection.

#### **V Issues and Findings**

The safety significance of inspection findings will be determined through MC 0609, "Significance Determination Process," with additional information from the Risk-Informed inspection notebook for Davis-Besse and the traditional enforcement process as discussed in the Enforcement Manual.

#### **VI Documentation**

The results of this inspection will be documented in NRC Inspection Report 03-19. The inspection report documentation will be prepared in accordance with MC 0612, "Power Reactor Inspection Reports." Review Appendix B, "Issue Screening," in MC 0612 to ensure consistency within the Agency for findings. Observations/conclusions should be documented where warranted. The documentation will become the basis for updating/closure of Restart Checklist Item 3.i, "Process for Ensuring Completeness and Accuracy of Required Records and Submittals to the NRC."

#### **VII Starfire Information**

This special inspection is estimated to require approximately 80 hours of direct inspection effort. Charge to IP 93812 with IPE code of "ER". Preparation and documentation for this inspection will use IPEs, SEP, SED, respectively. The inspection report to be charged is 50-346/2003019. All travel time is to be charged in HRMS to an IPE code of "AT".