

March 12, 2004

MEMORANDUM TO: Davis-Besse Nuclear Power Station IMC 0350 Panel

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

SUBJECT: REVISED JULY 1, 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 1, 2003. Attached for your information are the minutes from the internal meeting of the Davis-Besse Oversight Panel, Restart Readiness Inspection Plan, the "Open" Action Items List, and those Restart Action Matrix Items 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

MEMORANDUM TO: Davis-Besse Nuclear Power Station IMC 0350 Panel

FROM: John A. Grobe, Chairman, Davis-Besse Oversight Panel

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OFFICE	RIII		RIII		RIII	
NAME	RBaker/ske		CLipa		JGrobe / RA C. Lipa Acting for/	
DATE	03/11/04		03/12/04		03/12/04	

OFFICIAL RECORD COPY

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

DATE: July 1, 2003

TIME: 1:00 p.m. Central

ATTENDEES:

J. Grobe

H. Nieh

W. Ruland

C. Lipa

T. Mendiola

J. Hopkins

M. Phillips

C. S. Thomas

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 Plant Status, Inspector Insights, and Emergent Issues List

The Panel discussed plant status and inspector insights and emergent issues list. The Panel determined that the Air Operated Valves issue could be removed from the Emergent Issues List. The Panel also determined that the HPI SERP should go forward, and that the weekly status should be modified to include a new section after Emergent Issues and before the Checklist Item status to address the status of SERPs.

3. Discuss Section B2 of Process Plan

After initial discussions, the Panel decided to defer this item for two weeks. The Panel also agreed that the Process Plan should be discussed a piece at a time, with one piece brought to each meeting for discussion.

4. Discuss Results of June 26th RUG Meeting

Jack stated that the RUG meeting went very well, and was fairly well attended. The attendees were very interested in the entry conditions for MC 0350, and the impacts and affect on the rest of the region when a facility was under the 0350 process.

5. Discuss Results of June 30th Phone Call with Licensee on NOP Test Criteria

The Panel determined that the next step in the process was for the licensee to provide the information in writing to John Jacobson.

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

M. Phillips presented and the Panel discussed a list of RAM items for closure. **THE RAM ITEMS APPROVED FOR CLOSURE ARE ATTACHED TO THESE MINUTES.**

7. Discuss New Allegations

The Panel discussed two new allegations, one of which may have a bearing on information being provided to address the NOP test. The Panel agreed that John Jacobson should follow up on the allegation related to bottom head boric acid deposits as part of his review of the NOP test.

8. Discuss Action Items

The Panel discussed recent Action Items.

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

The Panel noted that the nozzles were being cut out of old vessel head starting tomorrow.

Item 54a (Closed) - Review TSP amendment and advise the panel on the need for a TIA on Davis-Besse

The letter to the concerned individual was mailed out on June 17, 2003, closing this item. No TS amendment was necessary for Davis-Besse.

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

Christine was to contact the appropriate individuals to have the due date extended a couple of months.

Item 97 (Closed) - Bulletins 2002-01 and 2002-02 response and acceptance.

The acknowledgment letter was issued on June 25, 2003.

Item 126 (Closed) - Review Davis-Besse Vessel Head Degradation web site content for ease of use by the public.

The Panel determined based on a review of the site that the web site was ok now that South Texas information had been pulled off of the site.

Item 136 (Open) - NRR acceptance of NOP criteria and method

A phone call was held with the licensee on 6/30. The licensee is to provide information in writing to John Jacobson. Also, the lead for this item was assigned from W. Dean to W. Ruland.

Item 145 (Closed) - Prepare a special inspection plan for the restart readiness team inspection.

The Panel approved this plan at its June 24, 2003 meeting. A copy of the approved plan is attached to the minutes for that panel meeting.

Item 147 (Open) - Generate a list of items to consider after restart as well as transition back to the normal 0305 when terminating the 0350 Panel. The items should include plans to augment inspection of corrective actions, inservice inspection, and safety culture monitoring.

As of today, Christine has the list and is reviewing it.

Item 156 (Open) - Read GSI-191

Rather than drafting Q and A's before next week's public meeting, the plan was to provide the Panel with a communication plan to address the licensee's completed sump modification in light of Bulletin 2003-001. Also, the panel reassigned the item to Christine instead of Jon.

Item 174 (Open) - Review the February 4th transcript for Mr. Witt's recommendations.

The transcript is currently being reviewed.

Item 188 (Open) - Arrange for Radiation Protection Inspection to evaluate stability in RP and organization effectiveness.

The inspection is scheduled to begin the week of the 14th of July, but no plan has been developed for Panel review. The Panel requested that the associated Branch Chief be contacted to request the panel be provided the inspection plan for review, since there would be no Panel meeting between now and the scheduled inspection start date.

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

The Millstone order was reviewed and the Panel determined that the Millstone approach was not appropriate. Bill committed to also look at the South Texas approach.

Item 190 (Closed) - Discuss with T. Kozak removing Davis-Besse from the Operational Management Information Report (OMI).

This was completed prior to July 1, 2003.

Item 192 (Closed) - Draft an update to the March 31, 2003, inspection schedule letter.

An updated letter was issued on June 30, 2003.

Item 193 (Open) - Consider TIA on an issue pertaining to 10 CFR 50 Appendix R Section III-L.

As of this meeting, Bill had contacted John Hannon, who was to provide an e-mail response as to whether a TIA was necessary or the issue was moot. Meanwhile, RIII:DRS had drafted a proposed TIA on the issue. Bill requested a copy of the draft to better describe to John what the issue was.

Item 194 (Open) - Add to Restart Checklist the licensee's TS amendment request to relocate the HPI and LPI subsystems flow balance testing requirements from the TS to the USAR Technical Requirements Manual.

The letter adding the amendment as a restart checklist item was in the concurrence chain as of the date of this meeting.

Item 196 (Re-Opened) - 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

This item was re-opened to address the need to determine that the Shift Manager would act properly and fulfill the intended role of the Shift Engineer in an emergency and not attempt to direct or supervise the crew during an emergency, and that the crew would not accept direction or supervision from the Shift Manager during an emergency if he were filling the role of Shift Engineer.

Item 198 (Open) - Call Billie Garde on the section of the letter regarding "missed opportunities."

Brent Clayton called Bille Garde, who stated that she will provide a letter delineating the missed opportunities to the NRC in the near future.

Item 199 (Open) - Contact the EDO's office to discuss the Panel's decision to include the Billie Garde response to 10 CFR 2.206 Petition as an attachment to the final Director's Decision

The Panel will work with the Petition Review Board to determine the final response to the document.

Item 200 (Open) - 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

The Panel put this item on hold pending a decision by the licensee on whether to pursue this option, given the problems being seen with the testing of the various designs.

9. Discuss New/Potential Licensing Issues

The Panel was told that there were no new issues since the last Panel meeting, although it was expected that the licensee would be reinitiating efforts to have the HPI replacement pump Technical Specification waiver completed.

10. Discuss Items for Licensee Weekly Calls

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

11. Discuss/Update Milestones and Commitments

The Panel determined that public meeting dates and locations should be set up with the licensee for the months of October through December, given the likelihood that the Panel would still be in existence after restart and the restart dates may slip given the problems being seen with the HPI pump testing.

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.</p>

DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST

Item Number	Action Item (Date generated)	Assigned to	Comments
54a	Review TSP amendment and advise the panel on the need for a TIA on Davis-Besse (7/2)	D. Pickett	<p>7/9 - Discussed. Will wait for response from licensee; 7/16 - Discussed - added action item 54b; 8/6 - Sent to the licensee on 7/22 and a response is due by 8/22; 8/22 - Discussed - need to check if response has been received; 8/27 - Received response - DRS is reviewing - will fax to NRR for 54b; 8/29 - Discussed, DRS report of response to be issued to panel prior to item 54b; 10/1-Discussed. DRS coordinating with NRR 11/07-Discussed - On hold for draft with specific information; 12/10 - B. Dean believed B. Bateman thought a calculation for sufficient volume of TSP was completed to technical specification value. However questions whether the calculation was to technical specification or actual TSP level remain; 01/03 - Item under NRR review. Calculation completion expected on Jan 17. Allegation issue in RIII domain; 01/07 - Allegation Item #3 under NRR Review for Resolution; 01/21 - Item #3 is under Region III control for final letter, holding for NRR input; 02/11 - Writeup for NRR input provided 4 answers, going back to reviewer to ensure specific tasking is clear to answer allegation concerns. Action item 54c created; 02/21 - Allegation at 242 day mark. Effective expression of due date required; 04/03 - Messrs. Beckner, Grobe, Ruland, & Mendiola to discuss; 04/08 - J. Hopkins to set up call for 4/11/03; 07/01 - Letter issued 6/17, this item is closed.</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 - Christine to request two month extension of due date.
97	Bulletins 2002-01 and 2002-02 response and acceptance (9/5)	NRR	11/07 - Discussed, further research and discussion required; 01/07 - RAI response expected Mid February; 01/31- On track; 02/11 - New Orders will supercede BL2002-01 and BL2002-02 responses with the exception of the BL2002-01 Boric Acid Corrosion program information request; 02/21 - Licensee RAI response delayed. Both Order and BL2002-01 Boric Acid Corrosion program responses to be tracked as RAM items; 04/08 - Discussed, leave open pending NRR review; 05/27 - Discussed - close out need acknowledgment letter that the bulletin responses have been received; 06/17 - Need acknowledgment letter that the bulletin responses have been received. Expected date is June 30 th ; 07/01 - Issued on 6/25/03. This item is closed.

DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST

Item Number	Action Item (Date generated)	Assigned to	Comments
126	Review Davis-Besse/Vessel Head Degradation web site content for ease of use by the public. (11/07)	Strasma	02/11 - Checked, but revisiting item; 02/21 - Web site being reassessed; 7/1 - Web site found to be ok. This item is closed.
136	<p>NRR acceptance of NOP criteria and method (01/03)</p> <p>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.

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145	Prepare a special inspection plan for the restart readiness team inspection. (01/09)	D. Passehl	02/21 - date to be determined; 05/27 - Discussed; 07/01- closed.
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;
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.
174	Review 2/4 transcript for Mr. Witt's recommendations (2/18)	R. Lickus	7/1 - In review

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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	
188	Arrange for Radiation Protection Inspection to evaluate stability in Radiation Protection organization effectiveness. An inspection plan is to be drafted and presented to the Panel for approval, including applicable Restart Action Matrix items, for an inspection to be conducted in the July 2003 time frame. (04/29)	K.Riemer	7/1 - Discussed - Request Mr. Riemer provide planner to panel members directly for review ASAP.

DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST

Item Number	Action Item (Date generated)	Assigned to	Comments
189	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. (05/16)	B.Ruland	05/27-Discussed; 07/01 - The Millstone Order was reviewed and the approach is not appropriate. Bill also look at the South Texas approach.
190	Discuss with T. Kozak removing Davis-Besse from the Operational Management Information Report (OMI). (05/16)	C.Lipa	05/27-Discussed; 06/17 - C. Lipa to discuss with T. Kozak changing the colors of the indicators in the report to gray; 07/01 - Completed.
191	Prepare Questions and Answers (Qs and As) once the GT 221 letter to Rep. Kucinich is issued to ensure consistent communications regarding how the NRC articulates issues to the public. (05/16)	C.Lipa/ A.Mendiola	
192	Draft an update to the March 31, 2003, inspection schedule letter. (05/16)	D. Passehl	6/24 - Approved draft letter, routing for concurrence; 07/01 - Letter issued 6/30 - closed.
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
194	Add to the Restart Checklist the licensee's Technical Specification Amendment Request to relocate the high pressure injection and low pressure injection subsystems flow balance testing requirement in Technical Specification 4.5.2.h to the Updated Safety Analysis Report Technical Requirements Manual. (06/17)	D. Passehl	6/24 - Approved the concept of adding the licensee's Technical Specification Amendment Request to the Restart Checklist. A letter has been drafted and will be routed for concurrence; 7/1 - Letter in concurrence chain.
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
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

DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST

Item Number	Action Item (Date generated)	Assigned to	Comments
198	Call Billie Garde on the section of the letter regarding "missed opportunities." The specific paragraph includes the statement: "Mr. Siemasko has identified at least twenty-three separate "missed opportunities" that could have prevented the propagation of G9 nozzle crack during the 14 years prior to 12 RFO in the spring of 2000." <i>This action is due June 27.</i> (06/20)	B. Clayton	7/1 - Discussed
199	Contact the EDO's office to discuss the Panel's question on how to include whether the Billie Garde response to 10 CFR 2.206 Petition should be addressed. (06/20)	J. Hopkins	6/24 - Revised description; 7/1 - Discussed.
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; 7/1 - On hold pending a licensee decision on whether to pursue this option or replace the pumps.

DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST

Item Number	Action Item (Date generated)	Assigned to	Comments
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 HPI Pump issue that we consider interfaces with those people who receive the letter.

RAM Item No. - E-18

Closed: Y

Date of E-Mail - 12/19/02

Author - Gurdziel to Lipa

Description of Issue - Would the Polar crane pass inspection if inspected by the State today?

Restart Checklist Item: N/A

Description of Resolution - The Polar crane is not inspected by the State. It is a safety-related Seismic Category I structure, and as such, is under the NRC's regulatory process to ensure compliance with its design criteria. While deficiencies were identified in October 2002 related to corrective actions implemented to resolve condition reports that had been written on the crane, those deficiencies were corrected once identified. The NRC concluded that major polar crane maintenance issues were documented and resolved on condition reports. While there were failures to document polar crane maintenance items involving lighting fixtures, limit switches, and missing or loose fasteners on access panels on conditions reports, these items did not affect crane functionality.

Reference Material - None.

RAM Item No. - E-27

Closed: Y

Date of E-Mail - 02/10/03

Author - Blanch to Grobe

Description of Issue - Why did FENOC choose S. Haber when there are other more qualified individuals that could have been chosen? What are her qualifications? What other studies of safety culture at US Nuclear Plants has Dr. Haber performed? Is NRC aware that Dr. Haber worked for the same company that did the RCA last fall?

Restart Checklist Item: N/A

Description of Resolution - The choice of individuals to act as a consultant to a licensee is not an area under which the NRC has jurisdiction. Rather, the NRC bases its conclusions on licensee performance on the outcome of the work performed to address the performance deficiency. In this case, the performance deficiency relates to an inadequate management philosophy at the facility that fostered an environment where conditions adverse to quality were not promptly corrected nor aggressively identified. The reasons given for the licensee's choice of Dr. Haber were described by the licensee to the NRC during a public meeting held on January 30, 2003. The transcript of that meeting may be found on the NRC's Davis-Besse web page, or in ADAMS at Accession No. ml030580657.

Reference Material - ADAMS Accession No. ml030580657.

RAM Item No. - E-28

Closed: Y

Date of E-Mail - 03/13/03

Author - D. Collins to Grobe

Description of Issue - Is NUREG-1756 being used to evaluate safety culture at D-B?

Restart Checklist Item: N/A

Description of Resolution - The answer to the question is no. The NUREG is not applicable for the evaluations of safety cultures. The NUREG, "Safety Culture: A Survey of the State-of-the-Art," was prepared for the Advisory Committee on Reactor Safeguards to identify what existed in industry, including the nuclear industry, at that time. It was not intended to be a list of criteria to be utilized in inspecting a licensee's organizational performance.

Reference Material - None.

RAM Item No. - E-29

Closed: Y

Date of E-Mail - 03/13/03

Author - D. Collins to Grobe

Description of Issue - If E-28 is no, why not and what alternate method is being used to evaluate safety culture acceptability?

Restart Checklist Item: N/A

Description of Resolution - As noted in the response to E-28, the NUREG was never intended to serve as a set of criteria to evaluate the performance of a licensee. Rather, the NRC's inspection team is conducting inspections to ensure that Davis-Besse thoroughly evaluated their past performance and identified all significant root causes. The team also is assessing the corrective actions to ensure they have been properly structured to address the root causes, and that methods to measure the effectiveness of the corrective actions have been developed. The team's inspection activities are based on existing NRC guidance (NRC Inspection Procedures 71152 "Problem Identification and Resolution" and 40001 "Resolution of Employee Concerns" and the 1989 and 1996 Policy Statements) to review the licensee's employee concerns program and safety conscious work environment, and internationally recognized guidance (International Safety Advisory Group (INSAG) documents: 4, "Safety Culture," 11 "Developing Safety Culture in Nuclear Activities: Practical Suggestions to Assist Progress," 13 "Management or Operational Safety in Nuclear Power Plant," and 15 "Key Factors in Strengthening Safety Culture.") to evaluate the effectiveness of the utility's management and human performance corrective actions. Upon completion of the inspection, the team will issue inspection report No. 50-346/03-12, documenting assessments and conclusions.

Reference Material - Inspection Report No. 50-346/03-12 and panel meeting minutes of April 3, 2003.

RAM Item No. - E-33

Closed: Y

Date of E-Mail - 06/18/03

Author - Gurdziel to Lipa

Description of Issue - Multiple issues raised regarding information presented in inspection report 03-13.

Restart Checklist Item: N/A

Description of Resolution - Christine called Mr. Gurdziel on June 19, 2003, and explained the context of the inspection report to him. At the conclusion of the conversation, Mr. Gurdziel was satisfied that his concerns had been addressed.

Reference Material - None.

RAM Item No. - L-31

Closed: Y

Date of Letter - 07/03/02

Author - UCS-11e

Description of Issue - Will the NRC require the D-B risk assessment to incorporate the real risk from reactor vessel failure before restart?

Restart Checklist Item: N/A

Description of Resolution - The impact of degraded condition of RPV in determining risk assessment was addressed as part of the significance determination process (SDP). The SERP package, which was attached to the preliminary RED finding letter sent to the licensee on February 25, 2003, addresses the methodology for determining reactor vessel failure. The current PRA identifies risk of RPV failure as $4.5E-7$. The SERP notes that as a result of the licensee's failure to properly implement its corrective action and boric acid control programs, the risk of core damage was increased by greater than $1E-4$ /Reactor year.

Reference Material - Davis Besse PRA, October 1999; and ADAMS Accession No. ml030560426 containing the SDP results and preliminary red finding, and ml031490778, documenting the final risk significance and finding results.

RAM Item No. - L-35

Closed: Y

Date of Letter - 07/03/02

Author - UCS-13

Description of Issue - "What tangible actions has FENOC taken to back up its rosy proclamations and assertions about 'questioning attitude and conservative decision-making'?"

Restart Checklist Item: 1.b & 4.a

Description of Resolution - The licensee presented its actions during the January 30, 2003, management meeting in Region III. The transcript of that meeting can be found at ADAMS Accession No. ml030580657. In addition, the licensee has prepared its own approach to assessing and improving safety culture, since it was a key contributor to the vessel head degradation. This approach is detailed in their Return to Service Plan containing several component "building blocks" to address the various contributing causes that led to the degradation of the reactor vessel head. One of the "building blocks" is the "Management and Human Performance Improvement Plan," which included actions to achieve improvement in organizational performance. Those actions included establishing a new senior management team for Davis-Besse, conducting leadership training with a focus on safety, implementing management observation and management monitoring programs, conducting periodic safety conscious work environment surveys, and establishing and holding staff accountable to new standards of excellence. The licensee also developed an internal methodology to assess the site's safety culture, partly using attributes documented in INSAG-4 and INSAG-15, *Key Practical Issues in Strengthening Safety Culture* (2002). The methodology evaluates three major areas: (1) policy or corporate commitment to safety, (2) plant management commitment to safety, and (3) individual commitment to safety. Each major area is broken down into multiple attributes which are individually assessed against specific standards. Those assessments are utilized to develop an overall rating for the major areas.

Reference Material - Inspection Reports 50-346/02-15 and 50-346/02-18.

RAM Item No. - L-55

Closed: Y

Date of Letter - 7/15/02

Author - UCS-27b

Description of Issue - If L-49 is no, how can NRC be assured that D-B is not unduly vulnerable to GSI-191 related safety problems?

Restart Checklist Item: 2.c.1

Description of Resolution - The NRC has issued Bulletin 2003-001, "Potential Impact of Debris Blockage on Emergency Sump Recirculation at Pressurized-Water Reactors," requiring all licensees, including Davis-Besse, to analyze the containment sumps to ensure that they are not unduly vulnerable to GSI-191 problems. In addition, Davis-Besse has installed a completely modified sump screen. The inspection of the adequacy of that sump screen is documented in NRC Inspection Report 50-346/03-06, issued on June 17, 2003. A copy of that inspection report can be obtained from ADAMS at Accession No. ml031710897.

Reference Material - NRC Bulletin 2003-001 and ADAMS Accession no. ml031710897.

RAM Item No. - L-71

Closed: Y

Date of Letter - 09/17/02

Author - Gurdziel # 6

Description of Issue - Operator work arounds. To me, this is just a way to avoid fixing equipment.

Restart Checklist Item: N/A

Description of Resolution - The Davis-Besse resident inspectors routinely evaluate operator work arounds as part of Baseline Inspection Procedure No. 71111.16. The most recent NRC inspection included a cumulative assessment of all existing operator work arounds. No concerns were noted. This inspection is documented in IR 50-346/03-22.

Reference Material - None.

RAM Item No. - L-72

Closed: Y

Date of Letter - 10/04/02

Author - Gurdziel # 8

Description of Issue - Was the tube rolling device being removed from nozzle #3 because it had successfully met the imposed requirements?

Restart Checklist Item: N/A

Description of Resolution - This item is no longer relevant, as the old head has been replaced.

Reference Material - None.

RAM Item No. - L-75

Closed: Y

Date of Letter - 10/24/02

Author - Gurdziel # 11

Description of Issue - Have the State of Ohio send inspectors to check one overhead crane, like the polar crane, to see if all those things have been corrected.

Restart Checklist Item: N/A

Description of Resolution - The cranes are not subject to inspection by the State, as they have no jurisdiction over the adequacy of the cranes. The polar crane, and other cranes used to handle safety-related equipment, are under the inspection oversight of the NRC. The NRC's inspection program is described in detail in NRC Manual Chapter 2515 for operating reactors.

Reference Material - NRC Manual Chapter 2515.

RAM Item No. - L-86

Closed: Y

Date of Letter - 11/15/02

Author - State of Ohio to Grobe

Restart Checklist Item: N/A

Description of Issue - Request to notify Ohio Board of Registration for Professional Engineers if NRC investigation reveals that any Ohio PE acted improperly.

Description of Resolution - Letter sent from the Panel Chairman to the Ohio Board of Professional Engineers dated June 13, 2003, appraising them of the NRC's enforcement process and investigation status.

Reference Material - ADAMS Accession numbers ml03163159 and ml023230384.

RAM Item No. - L-91

Closed: Y

Date of Letter - 02/10/03

Author - Lochbaum

Description of Issue - Did D-B have sufficient TSP in containment to maintain post-LOCA sump pH > 7 given the large quantity of boric acid already deposited in containment prior to startup from RFO12, and if not, shouldn't this be an LER?

Restart Checklist Item: N/A

Description of Resolution - Davis-Besse did have sufficient TSP in containment to maintain a post-LOCA sump pH > 7.

Reference Material - None.

RAM Item No. - C-15

Closed: Y

Description of Issue - Review TSP Amendment - and Advise Panel on the Need for a TIA - Potential TS Change that may be necessary to process before restart.

Description of Resolution - Both NRR and Region III staff evaluated this issue and no TS change is warranted. As such, there will be no need to process an amendment before restart.

Reference Material - None.

RAM Item No. - C-20

Closed: Y

Description of Issue - Adequate fire detection capabilities during containment air cooler cleaning utilizing pressure washing. (LLTF Issue)

Description of Resolution - Inspectors discussed control of transient combustibles, hot work procedures, and fire protection/fire watch, related to using pressure washers (which utilized kerosene), with the licensee senior fire protection engineer. This individual was involved in the fire protection aspects of the on-line CAC pressure washing activities. This was not a credible fire source due primarily to the strict control of the volume of kerosene in containment at any one time and the presence of a fire watch during the time the pressure washer was in service. No in-process observations of containment air cooler cleaning were conducted by the inspectors.

Reference Material - DB-FP-00007 (Control of Transient Combustibles) and DB-FP-00009 (Fire Protection Impairment and Fire Watch).

RAM Item No. - SUP-58

Closed: Y

Description of Issue - Assessment of Performance in the Radiation Safety Strategic Performance Area.

Description of Resolution - Per Inspection Procedure 95003, no special inspection is required in this strategic arena as there have been no red findings that would put the licensee into this portion of the action matrix for this strategic arena. In addition, as a result of two white findings, a special inspection was completed per Inspection Procedure 95002, and the results of that inspection do not indicate that further inspection per 95003 is warranted. Therefore, this item is being closed as it is not required.

Reference Material - None.

RAM Item No. - SUP-59

Closed: Y

Description of Issue - Assessment of Performance in the Safeguards Strategic Performance Area.

Description of Resolution - Per Inspection Procedure 95003, no special inspection is required in this strategic arena as there have been no red findings that would put the licensee into this portion of the action matrix for this strategic arena. Since the terrorist attacks on September 11, 2001, the NRC has issued several Orders and threat advisories to enhance security capabilities and improve guard force readiness. We have conducted inspections to review the licensee's implementation of these requirements and have monitored the licensee's actions in response to changing threat conditions. The NRC will perform additional inspections to evaluate the licensee's compliance with any new requirements that may be ordered. Therefore, this item (IP95003) is being closed as it is not required.

Reference Material - None.

RAM Item No. - SUP-60

Closed: Y

Description of Issue - Group the safety performance deficiencies identified during the inspection by apparent root and contributing causes.

Description of Resolution - The inspection performance deficiencies were grouped by the 0350 Panel based on a review of the AIT inspection report and subsequent information presented to the panel. As a result, the deficiencies were utilized in developing the Restart Checklist, which identified specific areas that needed to be corrected to the NRC's satisfaction to allow the licensee to startup the facility. The latest version of the checklist is provided as an attachment to the letter from J. E. Dyer to the licensee dated January 28, 2003. This letter is in ADAMS at accession no. ml030290155.

Reference Material - ADAMS Accession No. ml030290155.