

From: James Caldwell, <sup>RIII</sup>  
To: Christine Lipa; John Grobe  
Date: 2/23/04 7:18AM  
Subject: Re: Davis Besse Restart Discussions

I don't understand what minor discrepancies means either the changes to their EALs do not represent a DIE or they do which requires prior NRC approval before they can implement them. Therefore, they have to go back to the previously approved EALs including changing procedures and training on them. I will not consider restart until this issue is resolved. It will not be acceptable to find out later that we consider their EALs as presently exist to have been changed improperly.

✓ >>> Christine Lipa <sup>RIII</sup> 02/20/04 06:29PM >>>  
Hi Jim,

Release

I know we will be briefing you on Monday afternoon, but wanted to provide the answer to your question on EALs. Ken Riemer provided the below summary - bottom line - does not appear to be a problem at Davis-Besse.

✓ We also have answers to your other questions and will get with you on those.

**From Ken Riemer, RIII Plant Support Branch Chief:**

On February 11, 2004, HQ EP staff and Region III inspectors completed a screening of the Davis-Besse emergency action levels (EALs) as part of agency actions in advance of the plant's re-start hearings. The EAL review provided an evaluation of potential areas where a decrease in effectiveness (DIE) could have occurred as a result of historical changes to the original NRC approved NUREG-0654 classification scheme used at Davis-Besse. DIE issues with other Region III plants using NUREG-0654 classification schemes prompted the review at Davis-Besse to ensure that similar problems were not evident. The initial result of this screening concluded that there are no DIE issues with the Davis-Besse EALs which would affect re-start. Potential minor discrepancies are being discussed with the licensee.

<sup>NER</sup>  
>>> Jim Dyer 02/16/04 12:18PM >>>

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Jim.

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**CC:** Cynthia Pederson; Kenneth Riemer; Roy Caniano