

April 27, 2004

MEMORANDUM TO: James L. Caldwell, Regional Administrator
FROM: John A. Grobe, Chairman, Davis-Besse Oversight Panel /RA/
SUBJECT: REVISED DAVIS-BESSE IMC 0350 OVERSIGHT PANEL
CHARTER

Attached is a revised Davis-Besse IMC 0350 Panel Charter. This Charter has been revised to reflect post-restart duties and responsibilities of the Panel, and changes in Panel membership commensurate with post-restart activities.

cc w/att: S. Collins, OEDO G. Grant, RIII
D. Weaver, OEDO S. Reynolds, RIII
J. Dyer, NRR P. Hiland, RIII
R. Borchardt, NRR C. Pederson, RIII
J. Craig, NRR R. Caniano, RIII
B. Sheron, NRR C. Lipa, RIII
L. Marsh, NRR J. Lara, RIII
E. Leeds, NRR J. Jacobson, RIII
W. Ruland, NRR G. Wright, RIII
A. Mendiola, NRR C. Thomas, RIII
J. Hopkins, NRR D. Passehl, RIII
S. Richards, NRR

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NRC INSPECTION MANUAL CHAPTER 0350 CHARTER

DAVIS-BESSE NUCLEAR POWER STATION

The Davis-Besse Oversight Panel was chartered on April 29, 2002, to coordinate and oversee NRC activities needed to verify proper licensee safety performance. This revision of the Charter reflects Panel duties and responsibilities to monitor post-restart activities to ensure that appropriate focus is provided, resources allocated, and communications coordinated regarding Davis-Besse operational performance and improvement initiatives.

I. IMC 0350 PANEL MEMBERS

John Grobe, Chairman, Davis-Besse Oversight Panel
William Ruland, Vice-Chairman, Davis-Besse Oversight Panel
Anthony Mendiola, Section Chief PDIII-2, NRR
Jon Hopkins, Project Manager, NRR
Christine Lipa, Branch Chief - Projects Branch 4, RIII
Julio Lara, Branch Chief, Electrical Engineering Branch, RIII
Christopher (Scott) Thomas, Senior Resident Inspector - Davis-Besse
Dave Passehl, Project Engineer, RIII

The Panel has assigned the following Lead Inspectors to support the Panel, maintain continuity, and integrate inspection and assessment in the four areas addressed in the Confirmatory Order.

Operations Lead -- Christopher (Scott) Thomas, Senior Resident Inspector - Davis-Besse
Corrective Action Lead -- Dave Passehl, Project Engineer, RIII
Engineering Lead -- John Jacobson, Senior Metallurgical Engineer, RIII
Organizational and Human Performance Lead -- Geoffrey Wright, Project Engineer, RIII

II. QUORUM REQUIREMENTS

Panel decisions recommending agency action shall not be made unless approved in the presence of the quorum. The following members of the Panel constitute a quorum:

Chairman, Davis-Besse Oversight Panel or Vice-Chairman, Davis-Besse Oversight Panel, and

Branch Chief - Projects Branch 4, RIII or Project Engineer, RIII, and

Section Chief PDIII-2, NRR or Project Manager, NRR.

III. DUTIES AND RESPONSIBILITIES

1. Assess Performance - Assess the licensee's performance and the effectiveness of corrective actions and improvement initiatives implemented as a result of the extended shutdown. Review licensee docketed correspondence, including licensee event reports, and the results of licensee self-assessments. Develop

specific inspection plans and evaluate the results of all inspections that confirm licensee actions required by the Confirmatory Order and licensee commitments as stated in the integrated restart report. Assess any changes in scope or schedule of implementation of commitments.

2. Plan and Coordinate Work - Assign responsibilities and schedules for necessary actions and interactions with the licensee and internal and external stakeholders. Conduct internal Panel meetings to discuss significant technical and performance issues, NRC regulatory approach, and inspection and licensing resources and priorities. Monitor safety performance of the plant. Determine if adjustments are needed to the level of required inspection oversight on a quarterly basis considering plant performance issues, licensee events, NRC inspection results, and the validity and insights gained from performance indicator data. Update the inspection plan when necessary, including identifying any inspections in areas that are beyond the normal baseline inspection program. Develop and maintain post-restart process plan using guidance of IMC 0350.
3. Allegations and Investigations - Maintain an overview of outstanding allegations and investigations, including DOJ activities pertaining to Davis-Besse. Propose enforcement actions commensurate with safety significance of the issues and in accordance with the agency's enforcement policy.
4. Internal Communications - Develop and maintain a communication plan to provide an effective strategy for communicating with internal and external stakeholders on post-restart activities of Davis-Besse. Ensure assessments, decisions, and recommendations are communicated to appropriate NRC management in a timely manner. Periodically provide NRC management and the Commission, if requested, briefings and updates on the status of the licensee's progress, briefings and updates on corrective actions, and overviews of licensee performance.
5. External Communications - In accordance with the Panel's post-restart communication plan, conduct periodic public meetings with the licensee to discuss the status of plant improvement initiatives and any new technical or performance issues. Include discussion of progress in completing items in the Confirmatory Order and commitments described in the licensee's integrated restart report. Promote public dialog and feedback by including question and comments sessions with the public following the business portions of the public meetings. Provide appropriate briefings to and interactions with external stakeholders in accordance with the communication plan.
6. Documentation - Establish a record of the major regulatory and licensee actions and decisions taken, and technical issues resolved which establish the basis for NRC actions, including the eventual return of the plant to the routine Reactor Oversight Process (ROP), if and when appropriate. Ensure a comprehensive record is developed that documents NRC decisions and actions. Meeting minutes for all internal meetings will be prepared and maintained in ADAMS. Meeting minutes will be released publically at the appropriate time.

7. Closure of Panel - Develop exit criteria for closure of the Panel and return of Davis-Besse to the routine ROP. Provide a written recommendation to the Regional Administrator and the Director of NRR for the return to the ROP.