

May 11, 2004

Ms. Kathleen Hill
[ADDRESS DELETED
UNDER 10 CFR 2.790(a)]

Dear Ms. Hill:

Thank you for your interest and concern about the U.S. Nuclear Regulatory Commission's (NRC) regulation of the Davis-Besse Nuclear Power Station. The NRC has received a large number of letters and e-mails concerning Davis-Besse, both as it was considering authorizing restart of the plant and since the plant resumed operation. Since many of the issues and questions raised are similar, we are sending letters [e-mails] like this one to each of you who took the time to tell us about your concerns.

Our primary mission is to protect public health and safety and ensure that each nuclear power plant operates safely. This is our most important responsibility, and we take our mission very seriously.

On March 8, 2004, the NRC authorized restart of the plant following extensive inspections and reviews of the equipment repairs and modifications and organizational performance improvement activities at Davis-Besse. The plant had been shut down over two years after substantial corrosion damage of the reactor vessel head was discovered during NRC-required inspections by the utility.

As part of its restart authorization, the NRC issued a Confirmatory Order to the utility requiring independent assessments and inspections at Davis-Besse to ensure that the utility's corrective actions are lasting and effective. Annual independent assessments of operations, safety culture, corrective actions, and engineering are to be conducted over the next five years, and the results will be made public.

NRC scrutiny of Davis-Besse remains intensive. A special NRC oversight panel continues to assess Davis-Besse's performance and manage the agency's regulatory activities for the plant. This panel, which was set up in April 2002, will continue to hold periodic public meetings near the plant to discuss the plant's performance. The panel will continue its activities until the agency determines that Davis-Besse can be returned to the normal reactor oversight process.

During the startup process, the NRC maintained around-the-clock inspection coverage. No safety issues were identified. Enhanced inspection coverage continues at Davis-Besse with three NRC resident inspectors, one more than the normal complement, as well as additional inspections by regional and headquarters staff members.

The agency is continuing to monitor an ongoing federal investigation which is looking at possible wrongdoing in connection with the reactor vessel head damage. The findings of the investigation, up to the time of the restart decision, were fully considered in that decision. Possible action by the Department of Justice or enforcement action by the NRC awaits the completion of the federal investigation.

The NRC also established a Lessons Learned Task Force to evaluate the NRC's own actions associated with the reactor vessel head damage. An NRC Senior Management Review Team evaluated and prioritized these recommendations to improve NRC processes. Improvement actions are being implemented with the majority of the actions expected to be completed by the end of 2004.

Shortly after the vessel head damage was found, the NRC created a web site for the many documents related to Davis-Besse issues, including NRC inspection reports, meeting transcripts, and documents submitted by FirstEnergy. These documents can be reviewed at the NRC home page - <http://www.nrc.gov>. Select "Davis-Besse/Reactor Vessel Head Degradation" from the Key Topics listing.

I can assure you that the NRC decision to permit restart was made in a careful, deliberate, and responsible manner. This decision was based on sound regulatory and technical findings, in keeping with the requirements of federal statutes and NRC regulations.

Safety will continue to be the NRC's foremost focus at Davis-Besse. Thank you for giving me this opportunity to describe our continuing regulatory activities for the plant.

Sincerely,

/RA/

James L. Caldwell
Regional Administrator

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***See previous concurrence**

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