

May 20, 2004

MEMORANDUM TO: Davis-Besse Oversight Panel

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

SUBJECT: MINUTES OF INTERNAL MEETING OF THE DAVIS-BESSE  
OVERSIGHT PANEL

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 January 20, 2004. Attached for your information are the minutes from the internal meeting of the Davis-Besse Oversight Panel, and the "Open" Action Items List.

Attachments: As stated

cc w/att: D. Weaver, OEDO  
J. Caldwell, RIII  
G. Grant, RIII  
S. Reynolds, DRP  
B. Clayton, EICS  
DB0350

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OFFICE	RIII		RIII		RIII		RIII	
NAME	RBaker/trn		DPassehl		CLipa		JGrobe	
DATE	05/20/04		05/19/04		05/19/04		05/20/04	

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

DATE: January 20, 2004

TIME: 12:30 p.m. Central

ATTENDEES:

J. Grobe	W. Ruland	S. Thomas
C. Lipa	A. Mendiola	L. Gerke
D. Passehl	J. Stang	R. Baker
G. Wright	F. Lyon	

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 Plant Status and Inspector Insights and Emergent Issues List

S. Thomas led a discussion of plant status and inspector insights and emergent issues.

The licensee's Root Cause Team presented the results of its operations root cause assessment to plant management on January 15. Root causes identified included failures of operations' leadership to implement corrective actions for known problems and lack of accountability of personnel who failed to implement management standards and expectations. One key message from the external Root Cause Team was that Davis-Besse is an outlier in the area of conduct of operations even from within FENOC. Corrective actions are currently being worked by the licensee.

The licensee identified that several doors located in the turbine building, which provide access to safety related equipment, may not be capable of withstanding the initial pressure pulse resulting from a 36 inch main steam line guillotine break. Several doors are currently undergoing modifications to correct these deficiencies.

The licensee's current schedule for RCS heatup to operational Mode 3 is as follows:

1/22/04 [2000]	Begin Heatup
1/23/04 [0300]	Enter Mode 3
1/24/04 [2100]	2155 psig/532°F

3. Brief Panel on Results from the Management & Human Performance Followup Inspection

G. Wright briefed the Panel on the preliminary results from the Followup Management and Human Performance inspection. The Followup Management and Human

Performance team inspection completed onsite activities and debriefed the licensee on January 16, 2004. All onsite interviews are complete, and the team has requested additional information from the licensee as part of the document review. One notable observation from the interviews is that personnel are utilizing individual compensatory actions, such as additional peer review, to address issues of fatigue. However, the data is all anecdotal with no specifics provided. G. Wright will brief the Panel again after all sections of the inspection have been completed.

4. Discuss Allegation Concerning Overtime Issues

J. Grobe summarized the issues for the Panel. Areas which may be evaluated in connection with overtime concerns are: 1) a review of the past 6 months of overtime related Condition Reports to identify any problem areas, or 2) review the differences in results given in the March 2003 and November 2003 SCWE Surveys.

The Panel suggested that a recommendation be brought before the Panel on what type of inspection needs to be conducted to ensure that overtime and fatigue are not safety concerns which might impact plant restart.

5. Discuss Status of Restart Checklist Item 4.b, "Effectiveness of Corrective Action in the Area of Management and Human Performance"

G. Wright led a discussion on remaining closure criteria for Restart Checklist Item 4.b, Effectiveness of Corrective Action in the Area of Management and Human Performance. The Followup Management and Human Performance inspection team is still completing document reviews this week onsite, and evaluating inspection results. As of today, the team cannot state that the licensee's corrective actions have been effective, and cannot recommend closure of Restart Checklist Item 4.b. The primary question the inspection results are being gaged against is - Does the licensee have all the correct tools in place; is the licensee using the tools; and is the licensee assessing and adjusting processes as appropriate to effect a positive implementation of the corrective actions. G. Wright will brief the Panel at the next meeting on Thursday, January 22, regarding the team's assessment.

6. Discuss Agenda Topic for Panel Meeting This Thursday

The Panel meeting this Thursday, January 22, will be in the morning, at 9:00 a.m., and the two focused topics will be an update on closure criteria for Restart Checklist Item 4.b, and recommended inspection objectives for follow up on issues involving employee overtime and fatigue. Following the Panel meeting, S. Thomas will brief J. Caldwell on how the licensee's Immediate Action Maintenance procedure issue was resolved.

7. Discuss Current Status and Planned Actions to Complete AITS Item R04-0052 - Response to Ohio Citizen Action Group Analysis of Davis-Besse 'Safety Culture' Surveys

J. Strasma is continuing to work with G. Wright on developing the response to the Ohio Citizens Action Group. The due date for the response is being extended to not interfere with the Followup Management and Human Performance inspection team assessment.

8. Discuss New/Potential Licensing Issues

J. Hopkins informed the Panel that there were no new licensing issues. During the call with the licensee last Friday, January 16, two new updates were discussed. The first update was that the licensee would like to delay updating the November 23, Integrated Readiness to Support Restart report until after the Followup RRATI is complete. The licensee will discuss this with Panel members following the public meeting. The second topic involves the status of releasing the quarantine on samples from the reactor pressure vessel head. The samples are being held by BWXT for FENOC. NRC RES will contact BWXT for coordinating further testing/evaluation.

9. Discuss Allegations: 1) New, 2) Determine If Required to Be Resolved Prior to Restart, and 3) Requested Extensions

D. Passehl briefed the Panel on the status of open allegations. Two allegations were closed out last week. The Panel discussed the need to more fully understand any allegations involving overtime or fatigue, as well as a recent comment stating that the Davis-Besse Root Cause Analysis on the reactor pressure vessel head is flawed. D. Passehl took an action to gather the information available on overtime and fatigue concerns and brief the Panel at this Thursday's Panel meeting.

10. Discuss Inclusion of Public Meeting Schedule/Specifics in the Inspection Letter to Licensee

The Panel discussed including public meeting schedule information and specifics in the Inspection Planning letter to the licensee. The Panel decided that the public meeting information will be included in the Restart Approval letter, if and when restart is authorized. This will keep the Inspection planning letter simple and focused on the inspection topic.

11. Discuss Revised Draft Confirmatory Order/Draft Order Transmittal Letter

J. Grobe briefed the Panel on revising the Order to conform with legal guidance for orders issued to a licensee. The document will be an Order Modifying License Effective Immediately, not a Confirmatory Order. The licensee is not required to agree with this type of order, but does have the right to waive a regulatory hearing and accept the order as written. F. Lyon briefed the Panel on the changes to the Order, emphasizing Section III, and requested that any comments be forwarded directly to him.

12. Brief the Panel on the TIA on the HPI Pump Modification Engineering Evaluation

The final draft TIA is under review with J. Jacobson and A. Mendiola, and the response will be forwarded to Region III by Friday, January 23. J. Jacobson will send comments to J. Shea or F. Lyon at NRR. The final drafts will be presented to the Panel for review on January 29.

13. Discuss Action Items

One new Action Item was added to the open action items list and one item was closed.

**NEW ACTION ITEM (238) - A. MENDIOLA TO DRAFT A MEMO FROM JOHN GROBE TO CALDWELL, DYER, AND COLLINS TO ACCOMPANY AND DISCUSS SENSITIVITY OF INFORMATION IN DRAFT RESTART COMM PLAN.**

**THE UPDATED "OPEN" ACTION ITEMS LIST IS ATTACHED TO THESE MINUTES.**

14. Discuss Punch List

C. Lipa led a review of the Punchlist. R. Baker took the action to update the Punchlist with the Panel's comments.

15. Discuss Agenda for Licensee's Weekly Status Call

C. Lipa led a discussion on topics to discuss with the licensee during the next weekly call. Key items suggested were: 1) the effect of the High Pressure Injection pump design modification has on the small break LOCA analysis, 2) discuss the supplemental update to the November 23 Integrated Readiness to Support Restart report, and 3) resolution of identified High Energy Line Break issues.

16. Discuss/Update Milestones and Commitments

The Panel reviewed and discussed upcoming milestones and commitments. The suggestion was made to add the End of Cycle presentation on February 10 to the list.

17. Review Key Items Scheduled for Next Panel Meetings

C. Lipa discussed key items scheduled for upcoming Panel meetings. The next regular Panel meeting is scheduled for Monday, January 26 at 9:30 a.m. EST.

DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST				
Item Number	Action Item (Date generated)	Assigned to	Comments	Due Date
197	Develop a communication plan with restart Qs and As. (06/17)	J. Stang	6/24-Lead changed; 08/21-Lead changed; 09/30-Discussed, list of Q & As is being gathered for review and forwarding to RA; 10/14-Discussed, J. Shea is compiling the list of Q & As for review by the Panel and results will be forwarded to the RA; 10/21-Brainstorming session to occur 10/23 to final presentation to Panel; 11/20-The list of Q&As will be inserted to the Comm Matrix today; 12/15-Discussed, Plan with Panel Chairman; 12/30-Discussed, major rework in progress and plan will need to go back into concurrence.	02/02/04
208	Evaluate the need to call back CI regarding Allegation RIII-2002-A-0177 (D-B) after the OI Investigation is complete. (08/21)	M. Phillips	10/14-Investigation is still ongoing; 12/23-Discussed, awaiting DOJ Investigation.	TBD
212	Determine whether the Communication Team has received all electronic and written correspondence from external sources. If there is reasonable confidence that the Communication Team has all the correspondence then develop a set of bullets explaining why there is reasonable confidence. (09/23)	J. Stang	10/14-Discussed, Set of bullets still under development; item will be discussed at next Panel meeting on 10/16; 11/04 -Discussed, J. Stang is adding to Comm. Matrix; 11/20-Only remaining is the documented criteria for proof of reasonable confidence; 12/15-Discussed, all inputs received from panel members-closure memo to document completeness confidence in draft and will go to Panel next week; 12/30-Discussed, Bullets in review and NRR will forward to Region; 1/06-Discussed, List of Bullets in final review and will be disseminated 1/09/04; 1/20-Discussed, List of Bullets will be sent to Region for review at next Panel.	01/20/04
219	Brief Jim Caldwell on how Immediate Action Maintenance issue was resolved. He would like to see the revised procedure. (10/21)	S. Thomas	10/28-Brief will include research information on Exelon approach; 11/20-NRC is reviewing a copy of the licensee's revised procedure; 12/15-Discussed, FENOC rep met with SRI 12/14 to review new procedure; 12/18-Discussed, need to setup briefing for RA; 1/06-Discussed, brief will be given to Branch Chief with follow on briefing then setup for Jim Caldwell; 1/20-Discussed, Briefing will be given during Jim Caldwell's site visit, 01/22/04.	01/22/04

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DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST				
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220	Develop inspection plan requirements which include review of post restart security program effectiveness. (10/28)	D. Passehl	11/20-The plan is being developed and supplemented from baseline requirements; 12/15-Discussed, draft plan in final; 01/13-Discussed, decided this action item refers to only security inspections.	02/02/04
224	Rewrite the proposed IN on TSP to be generic and reflect attainable plant conditions and what information should be disseminated to the industry concerning Boric Acid Corrosion Control Programs. (12/09)	D. Hills	12/15-Discussed, D. Hills is working; 12/23-Discussed, this issue will be discussed internally in RIII and brought to Panel on 1/06/03 for a final decision on how to proceed; 1/20-Discussed, revised IN is with Panel Chairman for review.	02/15/04
228	Place all Email requests sent throughout Agency, responses received, and issue resolutions in ADAMS package for documentation. (12/16)	M. Mitchell	1/06-Discussed, will verify ADAMS package is in place to support collection of emails and responses- email requests will be resent due to small response to date.	01/23/04
231	As soon as the final RRATI report is issued, Email a copy to Rick Jacobs at INPO.(12/19)	D. Passehl	1/20-Discussed, expect report to be complete by 01/30/04.	02/09/04
232	Track the status of the response to Gunter on Fire Protection Issues due 01/09/04. (12/30)	J. Stang	12/30-Discussed, J. Dyer briefed on 12/29/03; J. Caldwell brief scheduled for 12/31/03; 01/13-Discussed, due date extended until 01/16/04; 01/15-Discussed, the due date extended for final draft, by agreement with Region to 01/23/04.	01/23/04
234	Develop protocol paper for NRC representative on DOJ committee interface with 0350 Panel for updates. (01/06)	W. Ruland	10/15/04-Discussed, protocol paper regarding decision making being drafted as a letter from Sam Collins to Bruce Boger and includes criteria for Immediate Action; 1/20-Discussed, the draft has been sent to B. Boger for DOJ comments.	01/16/04

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DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST				
Item Number	Action Item (Date generated)	Assigned to	Comments	Due Date
235	Advise panel on need for post-restart inspection, based on review of our Greenpeace 2.206 petition and the immediate action response letter we issued on Nov 26, 2003 (01/08)	J. Jacobson	01/13-Discussed, will contact Jacobson for when a brief will be provided to the Panel.	01/26/04
236	Review the Dec 31, 2003 revision of NRC Inspection Manual Chapter 0350 against current Panel Process Plan and brief Panel on results. (01/13)	D. Passehl	1/20-Discussed, review in progress and Panel will be briefed on 01/30/04.	01/30/04
238	Draft a Memo from John Grobe to Caldwell, Dyer, and Collins to accompany and discuss sensitivity of information in DRAFT Restart Comm Plan. (01/15)	A. Mendiola	1/20-Discussed, draft memo will be sent to J. Grobe by the end of the week 1/23.	01/21/04