

June 3, 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 December 30, 2003. 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	06/01/04		06/02/04		06/02/04		06/03/04	

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

DATE: December 30, 2003

TIME: 8:00 a.m. Central

ATTENDEES:

C. Lipa	W. Ruland	S. Thomas
D. Passehl	A. Mendiola	R. Baker
M. Phillips	J. Hopkins	
J. Strasma	J. Stang	

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 plant is in Mode 4 and the licensee expects to enter Mode 3 later today. The resident inspectors, assisted by the Fermi senior resident inspector, will continue observation of control room activities during the heatup and Mode change. The around-the-clock coverage is expected to provide a representative assessment of operational performance.

3. Discuss New/Potential Licensing Issues

J. Hopkins provided an update for the Panel on the current licensing issues. The Steam Generator (SG) inspection issues do not appear to present any items impacting a restart decision. NRR expects to receive the licensee's answers to questions pertaining to the SG inspection by close of business today. The License Amendment for a one-time relaxation of the SG inspection due in March 2004 is moving forward. A decision should be finalized before March 2004.

4. Discuss Communication Status

J. Stang led a discussion on the Communications status. The Communications Team is scheduled to meet next week to resolve outstanding issues, and the Communications Team Tracking Matrix update will be sent out tomorrow for comment; almost all items are ready to close.

The response letter to Mr. Gurdziel will be finalized next week and basically states "Thank you for your comments, do you have any remaining questions?" The final version will be forwarded to J. Grobe for approval and then sent to Mr. Gurdziel from J. Grobe.

J. Strasma is working with G. Wright on the response to the Ohio Citizen Action Group Memorandum concerning an analysis of the November 2003 SCWE survey results.

5. Update Panel on Plans for HPI Design Mod./Min. Recirc Flow Test Exit Meeting with Licensee

A. Mendiola informed the Panel that a conference call is being scheduled between the licensee, S. Unikewicz, and P. Lougheed to present the NRC review assessment of the HPI pump modification, and discuss any remaining questions P. Lougheed has concerning the HPI pump minimum recirculation flow testing.

6. Confirm Restart Public Meeting Time/Location

C. Lipa led a discussion on reassessing when would be an appropriate date/time for the restart meeting. Based upon the Management and Human Performance Phase III inspection results and the discussion at last night's public meeting concerning the results of the November 2003 SCWE survey results, the Panel has concluded that a Followup Management and Human Performance inspection should be targeted for the week of January 12, 2004. The inspection plan for the Followup Management and Human Performance inspection will be presented to the Panel for approval on January 8, 2004.

The Panel decided that the public meeting currently scheduled for January 13, 2004, should be conducted as a monthly public Panel meeting to provide the licensee an opportunity to update the Panel on scheduled activities to address the survey results. The Panel will finalize the discussion topics and time of the public meeting at the next Panel meeting on January 6, 2004.

7. Discuss Appendix R TIA Issues

The Panel discussed the status of the response being developed to send to Mr. Gunter concerning the Appendix R TIA issues. J. Dyer was briefed yesterday on the issue and response, and J. Caldwell will be briefed tomorrow morning. C. Lipa will lead the briefing.

**NEW ACTION ITEM (232)** - J. STANG TOOK ACTION TO TRACK THE STATUS OF THE RESPONSE TO GUNTER ON FIRE PROTECTION ISSUES DUE 01/09/04.

8. Discuss Required Response to Lochbaum Letter on Faulty Root Cause Analysis

The Panel discussed the Lochbaum letter on the "faulty" root cause analysis to determine what type of response is appropriate. The Panel will review the letter for potential allegations or new information, and will ask the technical staff for input on the issue. The goal is to have the required information and respond by January 9, 2004.

**NEW ACTION ITEM (233)** - M. PHILLIPS & J. JACOBSON TO DETERMINE IF A NEW ALLEGATION, OR NEW INFORMATION IS PRESENTED IN THE 12/18/03 LOCHBAUM LETTER.

9. Discuss Actions Required for Putting Licensee Documents on SCWE Survey Results on the Docket

C. Lipa led a discussion on actions to place the SCWE survey results on the docket. G. Wright will draft a memorandum discussing the results, attaching the survey results, and place the document in ADAMS. J. Grobe will contact the licensee and discuss the issue.

10. Discuss Required Action Plan for Director's Decision on Greenpeace 2.206

C. Lipa led a discussion on action required to support issuing the Director's Decision on the Greenpeace 2.206 petition. D. Passehl will consolidate the information on the colored findings and the SSDI results and forward to M. Fields by January 4, 2004.

11. Discuss Revised Restart Recommendation Memo

M. Phillips led a review of the draft restart recommendation to J. Caldwell. The Panel provided comments on the body of the memorandum and concurred with attaching a copy of the draft Confirmatory Order. The memorandum and all attachments will be presented at the next Panel meeting, January 6, 2004, for final discussion on the attachments.

12. Discuss Topics for Licensee's Weekly Call

C. Lipa led a discussion on topics to address at the next weekly call with the licensee. Three key discussion topics presented were: 1) discuss the licensee's assessment of the Mode change activities, 2) discuss the licensee's plan to provide an operability evaluation on the HPI pumps, and 3) discuss possible dates for the February monthly public Panel meeting. The Panel also discussed reviewing the licensee's most recent Performance Indicators at the next Panel meeting.

13. Discuss Punch List

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

14. Discuss Open Action Items

C. Lipa led a review of the Open Action Items. Two new Action Items were added to the open action items list.

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

15. Discuss Update Milestones and Commitments

The Panel reviewed and discussed upcoming milestones and commitments.

16. Review Key Items Scheduled for Next Panel Meetings

C. Lipa discussed key items scheduled for upcoming Panel meetings.

December 30, 2003

<b>DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST</b>			
<b>Item Number</b>	<b>Action Item (Date generated)</b>	<b>Assigned to</b>	<b>Comments</b>
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.
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.
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.
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.
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.

December 30, 2003

<b>DAVIS-BESSE OVERSIGHT PANEL "OPEN" ACTION ITEM LIST</b>			
<b>Item Number</b>	<b>Action Item (Date generated)</b>	<b>Assigned to</b>	<b>Comments</b>
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.
228	Place all Email requests sent throughout Agency, responses received, and issue resolutions in ADAMS package for documentation. (12/16)	M. Mitchell	
230	Develop Action Plan for documenting basis for path forward with licensee based on current inspection results and readiness for restart, to include process for informing licensee. (12/17)	J. Grobe	
231	As soon as the final RRATI report is issued, Email a copy to Rick Jacobs at INPO. (12/19)	D. Passehl	
<b>232 (NEW ITEM)</b>	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.
<b>233 (NEW ITEM)</b>	Determine if a new allegation, or new information is presented in the 12/18/03 Lochbaum letter. (12/30)	M. Phillips/ Jacobson	12/30-Discussed, should have an answer by 01/09/04.