

EDO Principal Correspondence Control

FROM: DUE: / / EDO CONTROL: G20050412
DOC DT: 05/24/05
FINAL REPLY:

Thomas Gurdziel

TO:

Chairman Diaz

FOR SIGNATURE OF : ** GRN ** CRC NO: 05-0299

DESC:

FirstEnergy/Davis Besse

ROUTING:

Reyes
Virgilio
Kane
Silber
Dean
Cyr/Burns
Dyer, NRR
Bell, OIG

DATE: 06/09/05

ASSIGNED TO: CONTACT:
RIII Caldwell

SPECIAL INSTRUCTIONS OR REMARKS:

For Appropriate Action.

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Jun 07, 2005 11:48

PAPER NUMBER: LTR-05-0299 LOGGING DATE: 06/07/2005
ACTION OFFICE: EDO

AUTHOR: Thomas Gurdziel
AFFILIATION: NY
ADDRESSEE: Nils Diaz
SUBJECT: A problem in understanding..FirstEnergy/Davis-Besse

ACTION: Appropriate
DISTRIBUTION: OPA

LETTER DATE: 05/24/2005

ACKNOWLEDGED No
SPECIAL HANDLING: Made publicly available in ADAMS via SECY/EDO/DPC

NOTES: OCM #7285

FILE LOCATION: ADAMS

DATE DUE: DATE SIGNED:

EDO --G20050412

Tom Gurdziel

From: Tom Gurdziel [tgurdziel@twcny.rr.com]
Sent: Tuesday, May 24, 2005 11:25 AM
To: opa@nrc.gov
Subject: FW: A Problem in Understanding

Good morning,

Please forward this to the Chairman, the Commissioners, and the Inspector General.

Thank you,

Tom Gurdziel

-----Original Message-----

From: Tom Gurdziel [mailto:tgurdziel@twcny.rr.com]
Sent: Tuesday, May 24, 2005 11:24 AM
To: opa3@nrc.gov
Cc: Leonard Cline; James M. Trapp; Ed Stronski; Doug Dempsey; David Lochbaum
Subject: A Problem in Understanding

CHAIRMAN REC'D
05 JUN -2 AM 9:35

Good morning Jan,

Although it seems like a long time ago now, maybe you remember my concern with the word definitions the FirstEnergy/Davis-Besse people used. For example, they told the NRC that they had inspected the reactor head. (In the nuclear environment, this means, to me, that they had inspected ALL of the Davis-Besse reactor head, since they did not specify any exceptions. However, we came to find out that this meant just as much as they cared to inspect, which was not all of it.)

So, perhaps, it is disappointing, but not surprising that today I come to another problem in understanding, this time at FirstEnergy/Perry.

If you look just below the middle of slide 6 of 49 from the FENOC Senior Management Briefing given on November 16, 2004, you will read that one Strategic Objective of their Business Plan is "Excellent Materiel Condition."

(Additionally, the previous slide proclaims a Vision of "People with a strong safety focus..")

- If you look at pages 24 to 26 of the latest Perry Inspection Report, you will discover, (as I read it), that they intentionally started up the Perry reactor on January 30, 2005 with 2 of 8 IRM channels bypassed, (and then found out that another channel did not work either.)

To me, this is clear evidence of a continuing strong focus on plant production before plant nuclear safety. (They are not going to tell you that they were going to fix the two IRMs at power, are they?)

Additionally, and perhaps more disturbing, is the slow realization I am coming to that, at Perry, the NRC has changed from performance-based regulation to promise-based regulation.

Any comments?

Thank you,

Tom Gurdziel

Chairman Nils J. Diaz

FVI

Tom Gurdziel