

July 13, 2007

LICENSEE: FirstEnergy Nuclear Operating Company (FENOC)
FACILITY: Davis-Besse Nuclear Power Station
SUBJECT: SUMMARY OF JUNE 18, 2007, PUBLIC MEETING REGARDING THE
PETITION FOR ENFORCEMENT ACTION PURSUANT TO 10 CFR 2.206 ON
PROTECTION AGAINST CONTROL ROD DRIVE MECHANISM NOZZLE
LEAKAGE FAST CORROSION SCENARIO FOR DAVIS-BESSE NUCLEAR
POWER STATION (TAC NO. MD5449)

On June 18, 2007, a Category 1 public meeting was held at the U.S. Nuclear Regulatory Commission (NRC) Headquarters, One White Flint North, 11555 Rockville Pike, Rockville, Maryland. The purpose of the meeting was to provide the Union of Concerned Scientists (UCS) an opportunity to present additional relevant information concerning their petition submitted under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2.206. This meeting also provided the NRC staff and FirstEnergy Nuclear Operating Company (the licensee) with an opportunity to ask clarifying questions concerning the submitted petition. A list of meeting attendees is provided as Enclosure 1.

BACKGROUND

Mr. David Lochbaum (the petitioner) of the UCS had requested an opportunity to address the NRC's Petition Review Board (PRB) after learning that the PRB's initial recommendation was to reject Items #2 and #3 of his April 30, 2007, petition request (Agencywide Documents Access and Management System (ADAMS) Accession No. ML071300245).

By verbal communication on May 29, 2007, the petitioner had been informed that the PRB's initial recommendation was to reject Item #2 (the request for shutdown of all pressurized water reactors if the Exponent Report was validated by independent review) because the NRC had performed an assessment and had determined that an immediate safety concern did not exist. The PRB determined that the request met one of the criteria for rejection described in Management Directive 8.11, since this issue had already been the subject of NRC staff review and evaluation. In addition, the NRC staff's evaluation of the May 10, 2007, supplement to the petition request concluded that it did not raise any new issues that would cause the NRC to change its assessment of the Exponent Report.

The petitioner was also informed that the PRB's initial recommendation was to reject Item #3 (revoke Davis-Besse's operating license for providing inaccurate information if the Exponent Report was invalidated by independent review) for review because the petition did not meet all the criteria necessary for reviewing petitions, under 10 CFR 2.206, as described in Management Directive 8.11. Specifically, in his request, the petitioner did not present facts sufficient to constitute a basis for the requested action.

At the conclusion of the May 29, 2007, telephone call, the petitioner requested an opportunity to address the PRB at a public meeting.

MEETING SUMMARY

The petitioner presented slides and supplemental information in support of his request for enforcement action for Items #2 and #3 of his petition request. See ADAMS Accession Nos. ML071780028 and ML071780029, respectively. The petitioner presented additional information to support his request for the NRC to revoke the operating license for Davis-Besse, for what the petitioner believed was inaccurate information submitted to the NRC.

Following the presentation, the NRC staff asked clarifying questions of the petitioner about the presentation. A court reporter was present during the public meeting. A transcript of the proceedings is publicly available (ADAMS Accession No. ML071840004).

Members of the public were in attendance. Public Meeting Feedback forms were not received.

Please direct any inquiries to me at 301-415-4037, or tjw2@nrc.gov.

/RA/

Thomas J. Wengert, Project Manager
Plant Licensing Branch LPLIII-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-346

Enclosure:
List of Attendees

cc w/encls: See next page

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Plant Licensing Branch LPLIII-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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cc w/encls: See next page

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Meeting Notice Accession No.: ML071520343
Petitioner's Slides Accession No.: ML071780028
Petitioner's Handout Accession No.: ML071780029
Meeting Transcript Accession No.: ML071840004

NRC-001

OFFICE	LPL3-2/PM	LPL3-2/LA	LPL3-2/BC
NAME	TWengert	Ewhitt, TLH for	RGibbs
DATE	7/13/07	7/13/07	7/13/07

OFFICIAL RECORD COPY

LIST OF ATTENDEES
PUBLIC MEETING ON JUNE 18, 2007

DAVIS-BESSE 2.206 PETITION ON PROTECTION
AGAINST CONTROL ROD DRIVE MECHANISM NOZZLE
LEAKAGE FAST CORROSION SCENARIO

NRC - HQ

Giovanna Longo	OGC
Ho Nieh	DPR
Tanya Mensah	DPR
Stacey Rosenberg	DPR
Tom Wengert	DORL
Russell Gibbs	DORL
Lisa Regner	Observer
Bruce Burgess	Region III
Lauren Casey	Observer
Heather Jones	Observer
Holly Cruz	DPR
Yeon-Ki Chung	DLR
Jay Collins	DCI
Michele Evans	DCI
Vanice Perin	DPR
Undine Shoop	OEDO
Jessica Ruber	OEDO
Sandra Hackworth	OI

Petitioner

David Lochbaum	UCS
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Licensee

Greg Halnon	FENOC
Dave Jenkins	FENOC

Members of the Public

Paul Gunter	NIRS
Jeff Spalding	Clifford & Garde
Sandra Shepherd	Clifford & Garde
Tim Matthews	Morgan Lewis
Robert Haemer	Pillsbury Winthrop Shaw Pittman
Jane Diecker	Morgan Lewis
Tom Schmutz	Morgan Lewis

The following individuals participated by teleconference:

NRC - RIII

Jim Gavula	Region III
Joe Ulie	Region III
Paul Zurawski	Region III
Richard Smith	Region III

Enclosure

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cc:

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Commissioners of Ottawa County
Port Clinton, OH 43252

President, Board of County
Commissioners of Lucas County
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