

September 27, 2007

Robert H. Leyse
P.O. Box 2850
Sun Valley, ID 83353

Dear Mr. Leyse:

I am responding to your e-mail to Dale E. Klein, Chairman of the Nuclear Regulatory Commission (NRC), dated August 20, 2007, regarding the Davis-Besse Exponent report ("Review and Analysis of the Davis-Besse March 2002 Reactor Pressure Vessel Head Wastage Event"), reactor pressure vessel (RPV) head activities, Energy Northwest and Entergy.

Before I address your questions, I think it is important to note that the NRC has a comprehensive program of inspections for commercial nuclear power plants. NRC stations resident inspectors at each of the nation's operating nuclear plants and fuel cycle facilities to carry out daily oversight. Resident inspectors team with region-based specialist inspectors to ensure that licensee programs and performance are adequate and comply with NRC safety requirements. The NRC allocates additional regulatory oversight and inspection resources based on objective indications of licensee performance. If inspectors identify significant safety and/or regulatory issues at the site, the agency requires inspectors to monitor licensee corrective action activities, verify steps are taken to ensure safety, promptly inform NRC management of any significant safety issues, and notify the public.

You asked why the NRC does not make the Davis-Besse Exponent report easily available. "Review and Analysis of the Davis-Besse March 2002 Reactor Pressure Vessel Head Wastage Event," prepared by Exponent Failure Analysis Associates and Altran Solutions Corporation, is publicly available in the NRC's Agencywide Documents Access and Management System (ADAMS) under Accession No. ML070860211. Additionally, the report, as well as the NRC's assessment of the report, can be accessed through the NRC public Web site: <http://www.nrc.gov/reactors/operating/ops-experience/vessel-head-degradation/news/2007/index.html>.

Openness is one of the NRC's organizational values and is also an important goal in our strategic plan. Accordingly, the NRC considers public involvement in, and information about, our activities to be a cornerstone of strong, fair regulation of the nuclear industry. The NRC releases several hundred documents to the public each work day. These documents are available either from ADAMS or from our Public Document Room (PDR) located at NRC Headquarters in Rockville, MD. The NRC public Web site also contains information and documents that are most pertinent to NRC regulatory activities. In addition, the agency's PDR staff can provide assistance to those members of the public who specifically request access to publicly available documents. You can reach the PDR at 1-800-397-4209 or 301-415-4737.

You expressed concern that the NRC may be unaware that other licensees may have files of upper-head activities relevant to regulatory activities. The NRC is confident that degradation of the RPV head experienced at Davis-Besse has not occurred unreported at other pressurized

water reactors (PWRs). NRC Order EA-03-009 dated February 11, 2003, as superseded by First Revised Order (EA-03-009) dated February 20, 2004, mandates that licensees conduct comprehensive inspections. The required inspection methods and frequencies are based largely on the susceptibility of the RPV head penetration materials to degradation mechanisms that would cause leakage. Inspections include visual, nonvisual, and nondestructive examination methods.

Licensee inspections performed in accordance with the requirements of Order EA-03-009 have not, to date, identified significant or unexpected degradation or corrosion of any PWR RPV head. Furthermore, licensee RPV head inspection activities are subject to independent oversight by NRC regional inspectors, and no instances of unreported degradation, other than that which occurred at Davis-Besse, have been identified.

With respect to your comments on the Energy Northwest report on its main condenser, the NRC and inspectors at the site are aware of the main condenser issues and are monitoring the situation closely. If conditions were to arise that bring into question whether the system can perform its function, the NRC will ensure that the licensee takes prompt action.

With respect to your question regarding communications between Entergy and its vendors and/or insurance company after the fuel crudging at River Bend, the NRC has inspected, documented, and taken enforcement action against the licensee for violating their minimum critical power ratio limits with two batches of fuel. The report, "River Bend Station - NRC Problem Identification and Resolution-Inspection Report 0500458/2005008," is publicly available in ADAMS under Accession No. ML060600503.

Sincerely,

/RA/

J. E. Dyer, Director
Office of Nuclear Reactor Regulation

R. Leyse

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Office of Nuclear Reactor Regulation

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* concurrence via email

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Letter to Robert H. Leyse from J. E. Dyer dated

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