



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, IL 60532-4352

September 1, 2009

Mr. Mark Bezilla
Site Vice President
FirstEnergy Nuclear Operating Company
Perry Nuclear Power Plant
P. O. Box 97, 10 Center Road, A-PY-A290
Perry, OH 44081-0097

**SUBJECT: MID-CYCLE PERFORMANCE REVIEW AND INSPECTION PLAN –
PERRY NUCLEAR PLANT**

Dear Mr. Bezilla:

On August 19, 2009, the NRC staff completed its performance review of the Perry Nuclear Plant. Our technical staff reviewed performance indicators (PIs) for the most recent quarter and inspection results for the period from July 1, 2008 through June 30, 2009. The purpose of this letter is to inform you of our assessment of your safety performance during this period and our plans for future inspections at your facility.

This performance review and enclosed inspection plan do not include security information. A separate letter designated and marked as "Official Use Only--Security Information" will include the security cornerstone review and resultant inspection plan.

Plant performance for the most recent quarter at Perry Nuclear Plant was within the Licensee Response column of the NRC's Action Matrix, based on all inspection findings being classified as having very low safety significance (Green) and all PIs indicating performance at a level requiring no additional NRC oversight (Green).

Performance at the Perry Nuclear Power Plant during the assessment period continued to exhibit weaknesses in the area of human performance. The total number of findings with documented cross-cutting aspects in human performance increased from 12 to 20. Our assessment of the findings identified three new cross-cutting themes in the human performance area: work control—planning (H.3(a)), five findings; work practices—human error prevention techniques (H.4(a)), five findings; and work control—oversight (H.4(c)), four findings. In addition, while the number of findings with a cross-cutting aspect of resources – documentation/procedures (H.2(c)) declined, we are leaving this theme open pending a demonstration of sustainable performance in this area.

This assessment period is the fourth consecutive assessment period identifying a substantive cross-cutting issue in the human performance area first opened in our March 3, 2008, End-of-Cycle assessment letter [Adams Ref. ML 080600303]. It is apparent that the development of causal evaluations and implementation of corrective actions has not been effective in demonstrating sustainable performance in the human performance arena. Therefore, the NRC has a continuing concern with the scope of your efforts and progress in addressing this cross-cutting area and has concluded that the substantive cross-cutting issue in human performance will remain open. The human performance substantive cross-cutting issue will remain open until all cross-cutting themes have been cleared in the area of human performance. To clear each theme, we will assess whether your corrective actions have resulted in a positive sustainable improvement in the area and will consider the number of findings in the theme. As part of our continuing review of this issue, a problem identification and resolution follow-up inspection item will be performed in accordance with IP 71152, "Identification and Resolution of Problems," Section 03.02, "Selected Issue Follow-up Inspection," during the upcoming assessment period.

Because your efforts to effect improvements in the human performance area have not been effective as evidenced by the number of significant human performance issues having risen during the assessment period, we would like to discuss the issue with you at a public meeting. The meeting will afford you the opportunity to present the progress of your actions taken in response to this weakness and why you believe future actions will be more effective than actions previously undertaken to address these longstanding substantive cross-cutting issues. We will contact you separately to schedule this meeting.

In addition to the negative trend in human performance, we have noted, since July 2008, a declining trend in the PI&R area. For this assessment period, we identified five findings in the PI&R area with the same aspect of corrective action program—thorough evaluation (P.1(c)). Four of the five findings were identified in the last two quarters of the assessment period. Condition reports generated through your corrective action program have continued to note the adverse trend in thorough evaluation (P.1(c)), but failed to take corrective actions that were effective in addressing that trend. Because of the continued decline in the area of PI&R, the NRC has a concern with the scope of your efforts and progress in addressing the cross-cutting area performance deficiencies and has concluded that a substantive cross-cutting issue exists in this area. This substantive cross-cutting issue will remain open until all cross-cutting themes have been cleared in the area of problem identification and resolution. To clear each theme, we will assess whether your corrective actions have resulted in a positive sustainable improvement in the area and will consider the number of findings in the theme.

The enclosed inspection plan details the inspections, less those related to security, scheduled through December 31, 2010. The inspection plan is provided to allow for the resolution of any scheduling conflicts and personnel availability issues well in advance of inspector arrival onsite. Routine resident inspections are not listed due to their ongoing and continuous nature. The inspections in the last 9 months of the inspection plan are tentative and may be revised at the End-of-Cycle review.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If circumstances arise which cause us to change this inspection plan, we will contact you to discuss the change as soon as possible. Please contact Jamnes Cameron at 630-829-9833 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

/RA/

K. Steven West, Director
Division of Reactor Projects

Docket No. 50-440
License No. DPR-58

Enclosure: Perry Inspection/Activity Plan

DISTRIBUTION:
See next page

Letter to M. Bezilla from K. Steven West dated September 1, 2009.

SUBJECT: MID-CYCLE PERFORMANCE REVIEW AND INSPECTION PLAN –
PERRY NUCLEAR PLANT

cc w/encl: J. Hagan, President and Chief Nuclear Officer - FENOC
J. Lash, Senior Vice President of Operations and
Chief Operating Officer - FENOC
D. Pace, Senior Vice President, Fleet Engineering - FENOC
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P. Harden, Vice President, Nuclear Support - FENOC
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D. Jenkins, Attorney, FirstEnergy Corp.
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C. O'Claire, State Liaison Officer, Ohio Emergency Management Agency
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President, Geauga County Board
Director, Department of Emergency Services
Gauga County Sheriff
President, Ashtabula County Board of Commissioners
Ashtabula County Sheriff
Director, Ashtabula County Emergency
Management Agency
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Administrative Director
Mayor, City of Willoughby Hills
Mayor, City of Willoughby
Mayor, City of Willowick
Mayor, Village of Madison
Village Administrator, Village of Madison
Chairman, Board of Madison Township Trustees
Mayor, Village of Kirtland Hills
Mayor, Village of Geneva-on-the-Lake
Mayor, Lakeline Village
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Mayor, Village of Grand River
G. Mortensen, INPO

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DATE	08/27/09	08/27/09	08/31/09	

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Letter to M. Bezilla from K. Steven West dated September 1, 2009.

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PERRY NUCLEAR PLANT

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RidsNrrPMPerry

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Tammy Tomczak

[ROPreports Resource](#)

Perry
Inspection / Activity Plan
09/01/2009 - 12/31/2010

Planned Dates		Inspection Activity	Title	No. of Staff on Site
Start	End			
		BI EP	- EP ROUTINE INSPECTION / PI VERIFICATION	2
09/21/2009	09/25/2009	IP 2515/175	Emergency Response Organization, Drill/Exercise Performance Indicator, Program Review	
09/21/2009	09/25/2009	IP 7111402	Alert and Notification System Testing	
09/21/2009	09/25/2009	IP 7111403	Emergency Response Organization Augmentation Testing	
09/21/2009	09/25/2009	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies	
09/21/2009	09/25/2009	IP 71151-EP01	Drill/Exercise Performance	
09/21/2009	09/25/2009	IP 71151-EP02	ERO Drill Participation	
09/21/2009	09/25/2009	IP 71151-EP03	Alert & Notification System	
		BI RP	- RADIATION PROTECTION BASELINE INSPECTION	1
10/19/2009	10/23/2009	IP 7112201	Radioactive Gaseous and Liquid Effluent Treatment and Monitoring Systems	
10/19/2009	10/23/2009	IP 71151-BI01	Reactor Coolant System Activity	
10/19/2009	10/23/2009	IP 71151-PR01	RETS/ODCM Radiological Effluent	
		BI RP	- RADIATION PROTECTION BASELINE INSPECTION	1
11/16/2009	11/20/2009	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment	
		BI RP	- RADIATION PROTECTION BASELINE INSPECTION	1
01/25/2010	01/29/2010	IP 7112101	Access Control to Radiologically Significant Areas	
01/25/2010	01/29/2010	IP 7112102	ALARA Planning and Controls	
01/25/2010	01/29/2010	IP 71151-OR01	Occupational Exposure Control Effectiveness	
		BI RP	- RADIATION PROTECTION BASELINE INSPECTION	1
03/01/2010	03/05/2010	IP 2515/173	Review of the Implementation of the Industry Ground Water Protection Voluntary Initiative	
03/01/2010	03/05/2010	IP 71151-BI01	Reactor Coolant System Activity	
03/01/2010	03/05/2010	IP 71151-PR01	RETS/ODCM Radiological Effluent	
		ISFSI	- ISFSI INSPECTION	2
04/01/2010	09/30/2010	IP 60854.1	Preoperational Testing of Independent Spent Fuel Storage Facility Installation at Operating Plants	
04/01/2010	09/30/2010	IP 60855.1	Operation of an Independent Spent Fuel Storage Installation at Operating Plants	
		OL PREP	- PERRY INIT PREP - APRIL 2010	3
04/19/2010	04/23/2010	W90223	OL - INITIAL EXAM - MAY 2010 - PERR	
		OL EXAM	- PERRY INIT EXAM - MAY 2010	3
05/10/2010	05/21/2010	W90223	OL - INITIAL EXAM - MAY 2010 - PERR	
		BI ENG	- ENGINEERING MODIFICATIONS / 50.59	3
06/14/2010	07/02/2010	IP 7111117T	Evaluations of Changes, Tests, or Experiments and Permanent Plant Modifications	
		BI RP	- RADIATION PROTECTION BASELINE INSPECTION	1
06/14/2010	06/18/2010	IP 7112203	Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Program	
		BI RP	- RADIATION PROTECTION BASELINE INSPECTION	1
08/23/2010	08/27/2010	IP 7112202	Radioactive Material Processing and Transportation	

Perry
Inspection / Activity Plan
09/01/2009 - 12/31/2010

Planned Dates		Inspection Activity	Title	No. of Staff on Site
Start	End			
		BI EP - EP EXERCISE INSPECTION / PI VERIFICATION		3
09/27/2010	10/01/2010	IP 7111401	Exercise Evaluation	
09/27/2010	10/01/2010	IP 71151-EP01	Drill/Exercise Performance	
09/27/2010	10/01/2010	IP 71151-EP02	ERO Drill Participation	
09/27/2010	10/01/2010	IP 71151-EP03	Alert & Notification System	
		BI RP - RADIATION PROTECTION BASELINE INSPECTION		1
11/15/2010	11/19/2010	IP 7112101	Access Control to Radiologically Significant Areas	
11/15/2010	11/19/2010	IP 7112102	ALARA Planning and Controls	
		BI OL - LIC. OPERATOR REQUAL. PROGRAM EVALUATION		2
12/06/2010	12/10/2010	IP 7111111B	Licensed Operator Requalification Program	
		OL PREP - PERRY INIT PREP - DEC. 2010		3
12/20/2010	12/24/2010	W90232	OL - INITIAL EXAM - JAN 2011 - PERR	