

October 16, 2009

The Honorable Dennis J. Kucinich
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Kucinich:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of September 10, 2009, requesting that the NRC maintain independent and intensified scrutiny over FirstEnergy Nuclear Operating Company's (FENOC) management of the Davis-Besse Nuclear Power Station (Davis-Besse). The NRC recently determined that FENOC has taken actions to meet the terms of the 2004 NRC confirmatory order placing conditions on the restart of Davis-Besse, resulting in the NRC's determination that the requirements of the order have been satisfied. I appreciate having had the opportunity to discuss with you the basis for the NRC's recent determination and your concerns about the performance of FENOC.

The NRC has strengthened its oversight activities at all reactor sites, including Davis-Besse, as a direct result of the Davis-Besse event, and will continue to monitor Davis-Besse's performance through the agency's rigorous Reactor Oversight Process. We will remain vigilant in our oversight of Davis-Besse and we will take actions necessary to address performance consistent with our mission to ensure adequate protection of public health and safety.

One of the NRC's many actions in response to the Davis-Besse event was to convene a Lessons Learned Task Force in 2002 to study the situation and the agency's processes for ensuring reactor vessel head integrity. The task force developed recommendations focusing on preventing corrosion, ensuring effective communications, properly evaluating operating experience, and improving the agency's inspection and program management activities. The enclosed report provides an overview of the Davis-Besse reactor pressure vessel head degradation, lessons learned, and the NRC's actions to address those lessons learned. Those actions have been implemented during the past several years at Davis-Besse and all NRC-regulated nuclear power plants around the country.

The NRC staff is available to provide a briefing for you and your staff on this matter. If a briefing would be helpful or you have additional questions on this matter, please contact our Congressional Affairs office at 301-415-1776.

Sincerely,

/RA/

Gregory B. Jaczko

Enclosure:
As stated