



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION III  
2443 WARRENVILLE RD. SUITE 210  
LISLE, IL 60532-4352

May 2, 2018

Mr. Mark Bezilla  
Site Vice President  
FirstEnergy Nuclear Operating Co.  
Davis-Besse Nuclear Power Station  
5501 N. State Rte. 2, Mail Stop A-DB-3080  
Oak Harbor, OH 43449-9760

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2016-011

Dear Mr. Bezilla:

This refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI) to determine whether: (1) the Director of Site Operations (DSO) at Davis-Besse Nuclear Power Station willfully provided incomplete and inaccurate information to the NRC pertaining to the feasibility and status of a prompt operability determination to address the operability of Safety Features Actuation System Channel 1, (2) the DSO willfully failed to follow Technical Specification Limiting Condition for Operation 3.3.5.b without justification of operability, and (3) a shift manager falsified an operability determination for the borated water storage tank level indication. Based on the evidence developed during the investigation, we did not substantiate the allegation. The synopsis from the OI Report of Investigation is enclosed.

If you have any questions or comments regarding this matter, please contact an NRC Region III Office Allegation Coordinator by calling (800) 522-3025. The NRC Region III Office Allegation Coordinators are Jim Heller, Paul Pelke, and Sarah Bakhsh.

In accordance with Title 10 of the Code of Federal Regulations (10 CFR) 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if any, will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). You should note that final NRC documents, including the final OI reports, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information pursuant to the FOIA. Requests under the FOIA should be made in accordance

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with 10 CFR 9.23, Request for Records. The instructions for making a request for information under the FOIA are accessible at <http://www.nrc.gov/reading-rm/foia/foia-request.html>.

Sincerely,

*/RA/*

Jamnes Cameron, Chief  
Branch 4  
Division of Reactor Projects

Docket No. 50-346  
License No. NPF-3

Enclosure:  
OI Synopsis

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Letter to M. Bezilla from J. Cameron; dated May 2, 2018

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2016-011

bcc w/encl: AMS File No. RIII-2016-A-0031

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\* For permission to release OI synopsis. \*\* The 3-week email has expired.

## OI SYNOPSIS

This investigation was initiated on August 8, 2016, by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations, Region III, to determine whether: (1) the Director of Site Operations (DSO) at FirstEnergy Nuclear Operating Company's Davis-Besse Nuclear Power Station, Unit 1 (Davis-Besse) willfully provided incomplete and inaccurate information to the NRC pertaining to the feasibility and status of a prompt operability determination (POD) to address the operability of Safety Features Actuation System (SFAS) Channel 1, (2) the DSO willfully failed to follow Limited Condition for Operation (LCO) Technical Specification (TS) 3.3.5.b without justification of operability, and (3) a shift manager falsified an operability determination for the borated water storage tank (BWST) level indication.

Based on the evidence developed, the allegation that the DSO willfully provided inaccurate and incomplete information to the NRC about the feasibility and status of a POD was not substantiated. This investigation also determined, based on the evidence, the allegation a DSO willfully failed to follow LCO TS 3.3.5.b was not substantiated. In addition, based on the evidence developed, the allegation a shift manager falsified an operability determination of the BWST level indication was not substantiated.