



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

EA-23-002

August 1, 2023

Terry Brown
Site Vice President
Energy Harbor Nuclear Corp.
Davis-Besse Nuclear Power Station
5501 N. State Rte. 2, Mail Stop A-DB-3080
Oak Harbor, OH 43449-9760

SUBJECT: DAVIS-BESSE NUCLEAR POWER STATION - NRC INSPECTION REPORT NO.
05000346/2023090

Dear Terry Brown:

This letter refers to the U.S. Nuclear Regulatory Commission (NRC) inspection conducted from November 27, 2022, through December 3, 2022, at your Davis-Besse Nuclear Power Station. The purpose of the Biennial Licensed Operator Requalification inspection was to examine activities conducted under your license as they relate to safety and compliance with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 55 and with the conditions in your license. During the inspection the NRC identified an apparent violation involving failure of the facility licensee to ensure that an individual operating the controls of the facility was licensed as required in 10 CFR Part 50.54(i) and provided in 10 CFR Parts 55.53 and 55.59. A final exit meeting was conducted by telephone with you and members of your staff on January 18, 2023. Inspection Report No. 05000346/2022091 was issued on March 28, 2023, and can be found in the NRC's Agencywide Documents Access and Management System (ADAMS) at accession number ML23025A407. ADAMS is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html>.

In a February 10, 2023, letter transmitting the inspection report, we provided you with the opportunity to address the apparent violation identified in the report by either attending a predecisional enforcement conference or by providing a written response before we made our final enforcement decision. In a letter dated March 9, 2023 (ML23068A208), you provided a response to the apparent violation. In your response you disagreed that a violation of NRC requirements occurred and asserted that the operator continued to meet all requirements of his license.

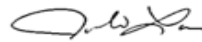
Based on the information developed during the inspection, the information that you provided in your response to the inspection report dated, March 9, 2023, and additional NRC review, the NRC has determined that a violation of NRC requirements did not occur based on the circumstances of this issue. While there is no violation, we remind you that ongoing participation in the licensed operator continuing training program is a key component to keeping operators' knowledge and operational proficiency up to date on plant systems and proper operation of the unit.

You are not required to respond to this letter, however, if you choose to provide additional information, you should include the EA number, "EA-23-002," and send it to the U.S. Nuclear

Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region III, Suite 210, 2443 Warrenville Road, Lisle, IL 60532-4352, and a copy to the NRC Resident Inspector at the facility that is the subject of this letter, within 30 days of the date of this letter. In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response, if any, will be made available electronically for public inspection in the NRC Public Document Room and in the NRC's ADAMS, accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such information, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

You may contact Diana Betancourt-Roldan, Enforcement/Investigations Officer, if you have any questions at (630) 810-4373.

Sincerely,



Signed by Lara, Julio
on 08/01/23

Julio Lara, Director
Division of Operating Reactor Safety

Docket No. 050-00346
License No. NPF-3

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Letter to T. Brown from J. Lara dated August 1, 2023.

SUBJECT: DAVIS-BESSE NUCLEAR POWER STATION - NRC INSPECTION REPORT NO. 05000346/2023090

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