



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

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

March 4, 2009

Mr. Mark Bezilla  
Site Vice President  
FirstEnergy Nuclear Operating Company  
Perry Nuclear Power Plant  
P. O. Box 97, 10 Center Road, A-PY-290  
Perry, OH 44081-0097

SUBJECT: ANNUAL ASSESSMENT LETTER - PERRY NUCLEAR PLANT  
(05000440/2009001)

Dear Mr. Bezilla:

On February 11, 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 over the previous 12 months. 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 Related Information" will include the security cornerstone review and resultant inspection plan.

Overall, Perry Nuclear Plant operated in a manner that preserved public health and safety and fully met all cornerstone objectives. Plant performance for the most recent quarter 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. While the number of findings identified with a cross-cutting aspect of work control (H.3.(a)) declined, with only two identified in the last half of 2008, a second cross-cutting theme in the area of procedures/documentation (H.2(c)) was identified with five findings. In addition, there are indications of a new cross-cutting theme in the aspect of human error prevention techniques (H.4(a)), with three findings identified during the assessment period and a potential fourth finding identified shortly after the end of the assessment period. Because of the continuing weakness in the human performance area, the substantive cross-cutting issue in human performance with themes of work control and procedures/documentation will remain open. This issue is a continuation of the substantive cross-cutting issue first opened in our March 3, 2008, End-of-Cycle Assessment letter [ADAMS Ref. ML080600303].

We recognize that you performed a root cause analysis addressing human performance issues in early 2008 and have been implementing corrective actions stemming from that analysis. Furthermore, you had an independent safety culture assessment performed in mid-2008. With these actions, you have demonstrated that you share our concern in this area and are taking

actions to improve your staff's performance. However, the effectiveness and sustainability of your corrective actions continues to be of concern. Specifically, we continue to see vestiges of the original cross-cutting theme while additional cross-cutting themes continue to come to the forefront. Therefore, we request that you address your actions regarding human performance during the End-of-Cycle public meeting, yet to be scheduled.

In addition, we request that you provide a written response describing your actions to address human performance. The response should include the actions you have taken to address human performance in general and specifically the cross-cutting aspects of work control, (H.3(a)), procedures/documentation (H.2(c)), and human error prevention techniques (H.4(a)). The response should also include examples of any progress that you have made in these areas to date and the improvements in human performance that you expect from those actions. Please submit your response by June 2, 2009. The human performance cross-cutting issue with themes of work control and procedure/documentation will remain open until the NRC gains confidence in the effectiveness and sustainability of your corrective actions.

The enclosed inspection plan details the inspections, including baseline and other infrequently conducted inspections, less those related to security, scheduled through June 30, 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/**

Cynthia D. Pederson, Director  
Division of Reactor Projects

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

Enclosure: Perry Inspection/Activity Plan

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Cynthia D. Pederson, Director  
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OFFICE	RIII		RIII						
NAME	JCameron.dtp		CPederson						
DATE	02/25/2009		02/26/2009						

Letter to M. Bezilla from C. Pederson dated March 4, 2009

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(05000440/2009001)

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  
K. Fili, Vice President, Fleet Oversight – FENOC  
P. Harden, Vice President, Nuclear Support - FENOC  
Director, Fleet Regulatory Affairs - FENOC  
Manager, Fleet Licensing - FENOC  
Manager, Site Regulatory Compliance - FENOC  
D. Jenkins, Attorney, FirstEnergy Corp.  
Public Utilities Commission of Ohio  
C. O’Claire, State Liaison Officer, Ohio Emergency Management Agency  
R. Owen, Ohio Department of Health  
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  
Mayor, Village of Genoa  
Genoa Village Administrator  
President, Lake County Board of Commissioners  
Lake County Sheriff  
Painesville City Manager  
Lake County Administrator  
Director, Lake County Emergency Management Agency  
President, Village of Fairport Harbor  
Mayor, City of Eastlake  
Mayor, City of Wickliffe  
President, Geneva City Council  
City Manager, Geneva  
Mayor, City of Kirtland  
Mayor, City of Mentor  
City Manager, Mentor  
Mayor, City of Mentor on the Lake  
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  
Mayor, Village of Timberlake  
Mayor, Village of Grand River  
G. Mortensen, INPO

**Perry**  
**Inspection / Activity Plan**  
**03/01/2009 - 06/30/2010**

Planned Dates		Inspection Activity	Title	No. of Staff on Site
Start	End			
		<b>BI ENG - ENGINEERING INSERVICE INSPECTION</b>		<b>1</b>
03/02/2009	03/06/2009	IP 7111108G	Inservice Inspection Activities - BWR	
		<b>BI RP - RADIATION PROTECTION BASELINE INSPECTION</b>		<b>2</b>
03/02/2009	03/06/2009	IP 7112101	Access Control to Radiologically Significant Areas	
03/02/2009	03/06/2009	IP 7112102	ALARA Planning and Controls	
		<b>ISFSI - ISFSI - DESIGN AND PAD CONSTRUCTION</b>		<b>1</b>
05/01/2009	08/31/2009	IP 60853	On-Site Fabrication Of Components And Construction On An ISFSI	
05/01/2009	08/31/2009	IP 60856	Review of 10 CFR 72.212(b) Evaluations	
05/01/2009	08/31/2009	IP 60856.1	Review of 10 CFR 72.212(b) Evaluations at Operating Plants	
		<b>BI ENG - FIRE PROTECTION INFO GATHERING TRIP</b>		<b>3</b>
05/11/2009	05/15/2009	IP 7111105T	Fire Protection [Triennial]	
		<b>BI ENG - TRIENNIAL HEAT SINK INSPECTION</b>		<b>1</b>
06/01/2009	06/05/2009	IP 7111107B	Heat Sink Performance	
		<b>BI ENG - TRIENNIAL FIRE PROTECTION INSPECTION</b>		<b>3</b>
06/08/2009	06/26/2009	IP 7111105T	Fire Protection [Triennial]	
		<b>BI RP - RADIATION PROTECTION BASELINE INSPECTION</b>		<b>1</b>
08/31/2009	09/04/2009	IP 7112101	Access Control to Radiologically Significant Areas	
08/31/2009	09/04/2009	IP 7112102	ALARA Planning and Controls	
08/31/2009	09/04/2009	IP 71151-OR01	Occupational Exposure Control Effectiveness	
		<b>BI EP - EP ROUTINE INSPECTION / PI VERIFICATION</b>		<b>2</b>
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	
		<b>BI RP - RADIATION PROTECTION BASELINE INSPECTION</b>		<b>1</b>
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-BI02	Reactor Coolant System Leakage	
		<b>BI RP - RADIATION PROTECTION BASELINE INSPECTION</b>		<b>1</b>
11/16/2009	11/20/2009	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment	
		<b>BI RP - RADIATION PROTECTION BASELINE INSPECTION</b>		<b>1</b>
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	

**Perry**  
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**03/01/2009 - 06/30/2010**

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Start	End			
		<b>BI RP - RADIATION PROTECTION BASELINE INSPECTION</b>		<b>1</b>
01/25/2010	01/29/2010	IP 71151-OR01	Occupational Exposure Control Effectiveness	
		<b>BI RP - RADIATION PROTECTION BASELINE INSPECTION</b>		<b>1</b>
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	
		<b>OL PREP - PERRY INIT PREP - APRIL 2010</b>		<b>3</b>
04/19/2010	04/23/2010	W90223	OL - INITIAL EXAM - JAN 2010 - PERR	
		<b>OL EXAM - PERRY INIT EXAM - MAY 2010</b>		<b>3</b>
05/10/2010	05/21/2010	W90223	OL - INITIAL EXAM - JAN 2010 - PERR	
		<b>BI ENG - ENGINEERING MODIFICATIONS / 50.59</b>		<b>3</b>
06/07/2010	06/25/2010	IP 7111117T	Evaluations of Changes, Tests, or Experiments and Permanent Plant Modifications	
		<b>BI RP - RADIATION PROTECTION BASELINE INSPECTION</b>		<b>1</b>
06/14/2010	06/18/2010	IP 7112203	Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Program	

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