

August 16, 2002

Mr. Lew Myers
Chief Operating Officer
FirstEnergy Nuclear Operating Company
Davis-Besse Nuclear Power Station
5501 North State Route 2
Oak Harbor, OH 43449-9760

SUBJECT: TRANSMITTAL OF NRC INSPECTION MANUAL CHAPTER 0350 PANEL
RESTART CHECKLIST

Dear Mr. Myers:

By our letter dated April 29, 2002, we informed you of our planned actions to provide focused and coordinated regulatory oversight of the Davis-Besse Nuclear Power Station as a result of the reactor pressure vessel head degradation discovered on March 6, 2002. We have enhanced NRC monitoring of corrective actions at Davis-Besse, as described in NRC Inspection Manual Chapter 0350, "Oversight of Operating Reactor Facilities in a Shutdown Condition with Performance Problems." NRC Region III manager, John A. Grobe, has been assigned as the NRC Oversight Manager for Davis-Besse, chairing the NRC review panel consisting of regional and headquarters personnel.

The IMC 0350 process for Davis-Besse was implemented to enhance the agency's strategic goals of maintaining safety, enhancing public confidence, increasing efficiency and effectiveness, and minimizing unnecessary regulatory burden by coordinating and focusing agency resources in the structured manner. A charter outlining the review panel's functions and responsibilities was developed. We have held several productive public meetings with you and other FirstEnergy representatives to discuss progress toward resolving those issues necessary for plant startup. These meetings will continue to be held through restart.

The enclosed Restart Checklist is a listing of issues that require disposition prior to restart. This Checklist will continue to be reevaluated and revised, if necessary, by the IMC 0350 panel, based on the results of follow-up inspections, your continuing evaluation, and any new insights gained from the completion of your management and human performance root cause analysis. As you indicated at the July 16, 2002 Public Meeting, you plan to submit the results of that evaluation in mid-August.

The procedure for IMC 0350 directs the suspension of the Reactor Oversight Process (ROP) with the initiation of the Oversight Panel. The inspection program for Davis-Besse will be directed by the oversight panel utilizing existing inspection procedures to the maximum extent practicable and the Panel will use the significance determination process and action matrix as guidance for determining agency response to identified performance problems. You should continue to monitor and submit appropriate performance indicators consistent with the facility configuration. The Panel will issue the inspection schedule, consistent with the Restart Checklist and your schedule for work completion.

The NRC may take other actions deemed necessary to ensure adequate NRC oversight of activities at the Davis-Besse Nuclear Power Station. If you have questions regarding the NRC actions discussed above, please contact John A. Grobe at 630/829-9700 or Christine A. Lipa at 630/829-9619.

Sincerely,

/RA by James L. Caldwell Acting for/

J. E. Dyer
Regional Administrator

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

Enclosure: Restart Checklist

cc w/encl: B. Saunders, President - FENOC
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Manager - Regulatory Affairs
M. O'Reilly, FirstEnergy
State Liaison Officer, State of Ohio
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Management Agency
G. Adams, Village Administrator, Genoa
The Honorable Robert Purney
The Honorable Lowell C. Krumnow
The Honorable Joseph Verkin
The Honorable Thomas Leaser
The Honorable Jack Ford
The Honorable Thomas Brown
C. Koebel, President, Ottawa County
Board of Commissioners
The Honorable Joe Ihnat
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U. S. Nuclear Regulatory Commission Manual Chapter 0350 Panel

Davis-Besse Restart Checklist

Item Number/ Cornerstone*	Description
1.	Adequacy of Root Cause Determinations
1.a IE	Penetration Cracking and Reactor Pressure Vessel Corrosion
1.b IE	Organizational, Programmatic and Human Performance Issues
2.	Adequacy of Safety Significant Structures, Systems, and Components
2.a IE	Reactor Pressure Vessel Head Replacement
2.b BI	Containment Vessel Restoration Following Reactor Pressure Vessel Head Replacement
2.c IE, MS, BI	Structures, Systems, and Components Inside Containment
2.d IE, MS, BI	Systems Outside Containment
3.	Adequacy of Safety Significant Programs
3.a ALL	Corrective Action Program
3.b ALL	Operating Experience Program
3.c ALL	Quality Audits and Self-Assessments of Programs
3.d IE, MS, BI	Boric Acid Corrosion Management Program
3.e IE, MS, BI	Reactor Coolant System Unidentified Leakage Monitoring Program
3.f IE, MS, BI	In-Service Inspection Program

3.g ALL	Modification Control Program
4.	Adequacy of Organizational Effectiveness and Human Performance
4.a ALL	Adequacy of Corrective Action Plan
4.b ALL	Effectiveness of Corrective Actions
5.	Readiness for Restart
5.a ALL	Review of Licensee's Restart Action Plan
5.b IE, MS	Systems Readiness for Restart
5.c IE	Operations Readiness for Restart
5.d IE, MS, BI	Test Program Development and Implementation
6.	Licensing Issue Resolution
6.a IE, BI	Verification that Relief Requests A8 and A12 regarding the Shell to Flange Weld (previously submitted by letter dated September 19, 2000) is not Impacted by the Midland RPV Head
6.b IE, BI	American Society of Mechanical Engineers (ASME) Code Relief Request for Failure to Maintain Original Radiographic Tests of the Midland Head to Flange Weld (Relief Request A26)
6.c IE, BI	ASME Code Relief Request for Inability to Radiographically Test 100% of the Midland Reactor Pressure Vessel Head to Flange Weld (Relief Request A27)
6.d IE, BI	Revised Relief Request A2 (previously submitted by letter dated September 19, 2000) for ASME Code for Inability to Perform 100% volumetric and surface examination of Head to Flange Weld
6.e IE, BI	Reconciliation Letter that Demonstrates How the New Reactor Pressure Vessel Head Correlates With the ASME Code and QA Index for Section III and Section XI - Commitments

6.f IE, BI	Verification Letter of Technical Specification Pressure/Temperature Curves for New Vessel Head - Commitment
7.	Confirmatory Action Letter Resolution
7.a ALL	Verification that Confirmatory Action Letter Items are Resolved, Including a Public Meeting to Discuss Readiness for Restart

Cornerstones:

IE - Initiating Events
MS - Mitigating Systems
BI - Barrier Integrity
EP- Emergency Preparedness
ORS - Occupational Radiation Safety
PRS - Public Radiation Safety
PP - Physical Protection
ALL - Affects all cornerstones