



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

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

September 2, 2008

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: MID-CYCLE PERFORMANCE REVIEW AND INSPECTION PLAN –  
PERRY NUCLEAR PLANT**

Dear Mr. Bezilla:

On August 14, 2008, 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 Information" will include the security cornerstone review and resultant inspection plan.

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).

In our annual assessment letter dated March 3, 2008 [ADAMS Ref. ML080600303], we advised you of a substantive cross-cutting issue in the area of human performance related to work control and planning. In our letter, we indicated that the cross-cutting issue would remain open until the number of findings with the same cross-cutting aspect is reduced or when the NRC gains confidence in your actions to address this adverse trend in human performance. Although the number of findings with the same cross-cutting aspect has been reduced as of the end of the mid-cycle assessment period, we are leaving the cross-cutting issue in the area of human performance related to work control and planning open. As part of our continuous review of your performance, we considered more recent inspection inputs that will be documented in the third quarter resident inspector integrated inspection report that were related to work planning and other areas of human performance. We understand that FENOC has recognized the site-wide cross-cutting theme in work planning and has developed and implemented a formal process to identify, track, and develop apparent cause(s) and corrective actions for cross-cutting issues identified by the NRC and through the site corrective action program. However, based on Perry's past performance related to long-term sustainability of corrective actions, the

relatively short period of time that the formalized process to address cross-cutting issues has been implemented, and the additional inspection inputs that we have pending, we have decided to leave the substantive cross-cutting issue in the area of human performance related to work control and planning open.

We will monitor your progress in the specific area of work planning, and more broadly in the area of human performance through the baseline inspection program. The NRC will close this substantive cross-cutting issue when FENOC has demonstrated sustainable performance improvement as evidenced by effective implementation of an appropriate corrective action plan that addresses the apparent cause of Perry's human performance cross-cutting issue.

The enclosed inspection plan details the inspections, including baseline and other infrequently conducted inspections, less those related to security, scheduled through December 31, 2009. 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 nine 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

DISTRIBUTION:  
See next page

relatively short period of time that the formalized process to address cross-cutting issues has been implemented, and the additional inspection inputs that we have pending, we have decided to leave the substantive cross-cutting issue in the area of human performance related to work control and planning open.

We will monitor your progress in the specific area of work planning, and more broadly in the area of human performance through the baseline inspection program. The NRC will close this substantive cross-cutting issue when FENOC has demonstrated sustainable performance improvement as evidenced by effective implementation of an appropriate corrective action plan that addresses the apparent cause of Perry's human performance cross-cutting issue.

The enclosed inspection plan details the inspections, including baseline and other infrequently conducted inspections, less those related to security, scheduled through December 31, 2009. 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 nine 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,

Cynthia D. Pederson, Director  
Division of Reactor Projects

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

Enclosure: Perry Inspection/Activity Plan

**DISTRIBUTION:**

See next page

**See Previous Concurrence**

DOCUMENT NAME: G:\1-Secy\2008 Mid-cycle final letters/Perry MOC letter.doc

Publicly Available       Non-Publicly Available       Sensitive       Non-Sensitive  
To receive a copy of this document, indicate in the concurrence box "C" = Copy without attach/encl "E" = Copy with attach/encl "N" = No copy

OFFICE	RIII		RIII		RIII		RIII
NAME	JCameron:dtp		CPederson				
DATE	08/26/08		08/26/08				

**OFFICIAL RECORD COPY**

Letter to M. Bezilla from C. Pederson dated September 2, 2008

SUBJECT: MID-CYCLE PERFORMANCE REVIEW - PERRY NUCLEAR PLANT

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  
J. Rinckel, Vice President, Fleet Oversight - 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

Letter to M. Bezilla from C. Pederson dated September 2, 2008

SUBJECT: MID-CYCLE PERFORMANCE REVIEW - PERRY NUCLEAR PLANT

DISTRIBUTION:

RidsNrrDorLp13-2

RidsNrrPMPerry Resource

Tamara Bloomer

RidsNrrDirslpab Resource

James Caldwell

Mark Satorius

Jared Heck

Kenneth O'Brien

Roland Lickus

DRPIII

DRSIII

Patricia Buckley

Tammy Tomczak

[ROPreports@nrc.gov](mailto:ROPreports@nrc.gov) (inspection reports, final SDP letters, any letter with an IR number)

**Perry**  
**Inspection / Activity Plan**  
**09/01/2008 - 12/31/2009**

Inspection Activity	Title	No. of Staff on Site	Planned Dates Start	End	Inspection Type
<b>BI RP - RADIATION PROTECTION BASELINE INSPECTION</b>		<b>1</b>			
IP 2515/173	Review of the Implementation of the Industry Ground Water Protection Voluntary Initiative		09/08/2008	09/12/2008	Generic Safety Inspectio
IP 7112101	Access Control to Radiologically Significant Areas		09/08/2008	09/12/2008	Baseline Inspections
IP 71151-BI01	Reactor Coolant System Activity		09/08/2008	09/12/2008	Baseline Inspections
IP 71151-OR01	Occupational Exposure Control Effectiveness		09/08/2008	09/12/2008	Baseline Inspections
<b>ISFSI - PAD CONSTRUCTION</b>		<b>1</b>			
IP 60856.1	Review of 10 CFR 72.212(b) Evaluations at Operating Plants		09/01/2008	12/31/2008	Other Routine
<b>BI EP - EP EXERCISE INSPECTION / PI VERIFICATION</b>		<b>3</b>			
IP 7111401	Exercise Evaluation		10/06/2008	10/10/2008	EP Baseline Inspection
IP 71151-EP01	Drill/Exercise Performance		10/06/2008	10/10/2008	Baseline Inspections
IP 71151-EP02	ERO Drill Participation		10/06/2008	10/10/2008	Baseline Inspections
IP 71151-EP03	Alert & Notification System		10/06/2008	10/10/2008	Baseline Inspections
<b>BI RP - RADIATION PROTECTION BASELINE INSPECTION</b>		<b>1</b>			
IP 7112101	Access Control to Radiologically Significant Areas		10/20/2008	10/24/2008	Baseline Inspections
IP 7112102	ALARA Planning and Controls		10/20/2008	10/24/2008	Baseline Inspections
<b>TI - TEMPORARY INSTRUCTION 2515/174</b>		<b>2</b>			
IP 2515/174	(Hydrogen Igniter Backup Power Verification		10/01/2008	10/31/2008	Generic Safety Inspectio
<b>BI RP - RADIATION PROTECTION BASELINE INSPECTION</b>		<b>1</b>			
IP 7112202	Radioactive Material Processing and Transportation		11/17/2008	11/21/2008	Baseline Inspections
<b>BI OL - BIENNIAL REQUAL. PROGRAM INSPECTION</b>		<b>2</b>			
IP 7111111B	Licensed Operator Requalification Program		12/01/2008	12/05/2008	Baseline Inspections
<b>OA - OTHER ROUTINE - RPV HEAD DROP</b>		<b>1</b>			
IP 7111120	Refueling and Other Outage Activities		12/08/2008	12/26/2008	Baseline Inspections
<b>OL EXAM - OPERATOR LICENSING EXAM</b>		<b>3</b>			
W90199	OL - INITIAL EXAM - JAN 2009 - PERR		01/12/2009	01/23/2009	Not Applicable
<b>BI PI&amp;R - BIENNIAL PI&amp;R INSPECTION</b>		<b>4</b>			
IP 71152B	Identification and Resolution of Problems		01/12/2009	01/30/2009	Baseline Inspections
<b>BI RP - RADIATION PROTECTION BASELINE INSPECTION</b>		<b>1</b>			
IP 7112101	Access Control to Radiologically Significant Areas		03/09/2009	03/20/2009	Baseline Inspections
IP 7112102	ALARA Planning and Controls		03/09/2009	03/20/2009	Baseline Inspections
<b>BI ENG - ENGINEERING INSERVICE INSPECTION</b>		<b>1</b>			
IP 7111108G	Inservice Inspection Activities - BWR		03/02/2009	03/06/2009	Baseline Inspections
<b>ISFSI - ISFSI - DESIGN AND PAD CONSTRUCTION</b>		<b>1</b>			
IP 60853	On-Site Fabrication Of Components And Construction On An ISFSI		05/01/2009	09/30/2009	Other Routine
IP 60856	Review of 10 CFR 72.212(b) Evaluations		05/01/2009	09/30/2009	Other Routine

**Perry**  
**Inspection / Activity Plan**  
**09/01/2008 - 12/31/2009**

Inspection Activity	Title	No. of Staff on Site	Planned Dates Start	Planned Dates End	Inspection Type
<b>BI ENG</b>	<b>- FIRE PROTECTION INFO GATHERING TRIP</b>	<b>3</b>			
IP 7111105T	Fire Protection [Triennial]		05/18/2009	05/22/2009	Baseline Inspections
<b>BI ENG</b>	<b>- TRIENNIAL FIRE PROTECTION INSPECTION</b>	<b>3</b>			
IP 7111105T	Fire Protection [Triennial]		06/08/2009	06/26/2009	Baseline Inspections
<b>BI ENG</b>	<b>- TRIENNIAL HEAT SINK INSPECTION</b>	<b>1</b>			
IP 7111107B	Heat Sink Performance		08/17/2009	08/21/2009	Baseline Inspections
<b>BI RP</b>	<b>- RADIATION PROTECTION BASELINE INSPECTION</b>	<b>1</b>			
IP 7112102	ALARA Planning and Controls		08/31/2009	09/04/2009	Baseline Inspections
IP 71151-OR01	Occupational Exposure Control Effectiveness		08/31/2009	09/04/2009	Baseline Inspections
IP 71151-PR01	RETS/ODCM Radiological Effluent		08/31/2009	09/04/2009	Baseline Inspections
<b>BI EP</b>	<b>- EP ROUTINE INSPECTION / PI VERIFICATION</b>	<b>2</b>			
IP 7111402	Alert and Notification System Testing		09/21/2009	09/25/2009	EP Baseline Inspection
IP 7111403	Emergency Response Organization Augmentation Testing		09/21/2009	09/25/2009	EP Baseline Inspection
IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		09/21/2009	09/25/2009	EP Baseline Inspection
IP 71151-EP01	Drill/Exercise Performance		09/21/2009	09/25/2009	Baseline Inspections
IP 71151-EP02	ERO Drill Participation		09/21/2009	09/25/2009	Baseline Inspections
IP 71151-EP03	Alert & Notification System		09/21/2009	09/25/2009	Baseline Inspections
<b>BI RP</b>	<b>- RADIATION PROTECTION BASELINE INSPECTION</b>	<b>1</b>			
IP 7112201	Radioactive Gaseous and Liquid Effluent Treatment and Monitoring Systems		10/19/2009	10/23/2009	Baseline Inspections
<b>BI RP</b>	<b>- RADIATION PROTECTION BASELINE INSPECTION</b>	<b>1</b>			
IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		11/16/2009	11/20/2009	Baseline Inspections
IP 71151-BI01	Reactor Coolant System Activity		11/16/2009	11/20/2009	Baseline Inspections