

From: Jim Dyer, R3
To: Bruce Berson, R3
Date: Wed, Jun 7, 2000 1:18 PM
Subject: DPV on D.C. Cook CEQ Fan Room Concrete Walls

On June 6, 2000, Ross Landsman sent me a Differing Professional View on the resolution of the D.C. Cook degraded CEQ Fan Room Concrete Walls. This item was identified in the D.C. Cook Restart Action Matrix Item R.2.13.3 and was the subject of a public meeting in NRC Headquarters on June 1, 2000. At a June 5, 2000, public MC 0350 Oversight Meeting, the NRC staff stated that this item was tentatively closed pending final review and that the staff agreed with the licensee's overall conclusion that the wall was degraded, but operable under Generic Letter 91-18. Mr. Landsman disagreed and summarized his technical reasons in a memo to me dated June 6, 2000.

I reviewed the memo and decided that a better approach for resolution would be to have the MC 0350 oversight panel address his concerns as part of their final closeout review of the item. The next internal MC 0350 Oversight Meeting was scheduled for today, Wednesday, June 7, 2000, and startup could be within the next 7-10 days. The schedule for DPV resolution in accordance with MD 10.159 calls for me to establish an independent panel within 5 calendar days to complete the review within the following 30 days. This would not be timely for restart decisionmaking. Mr. Landsman could review the written bases for closeout of the item which address his issues and decide whether to proceed with the DPV.

Since this deviated from the Management Directive 10.159 guidance for DPV resolution I spoke to Paul Bird, OHR, on the acceptability of my approach. He agreed that my approach appeared to be the best method for resolution of the technical issues, but that Mr. Landsman should be consulted on this approach and advised on the impact on resolution of his DPV.

On June 7, 2000, I spoke to Mr. Landsman on the phone (since he was at Dresden on an inspection) and explained my proposal for resolution of his technical concerns. He explained that the concerns he documented in the memo were the same that he had when he participated in the public meeting on June 1, 2000, in NRC headquarters so there should be no surprises to the staff. He is genuinely concerned about the safety of the wall under design bases accident conditions. He agreed with providing his technical information to the D.C. Cook MC 0350 Oversight Panel for consideration in their final closeout review and would accept a delay of about a week in addressing the DPV. Mr. Landsman explained to me that if the NRC staff decided that the CEQ fan room walls were considered degraded, but operable and the licensee was allowed to restart with the walls in their current condition, that he would pursue the DPV.

Based on these discussions, I drafted a memo to the D.C. Cook MC 0350 Oversight Panel to address Mr. Landsman's technical issues. His specific memo was not forwarded to the oversight panel to prevent its release to the PDR with the other MC 0350 oversight meeting minutes. My memo will become part of the meeting minutes and the disposition of the concerns will be documented in the meeting minutes.

This e-mail should become part of the DPV records maintained by Region III.

CC: James Caldwell, Paul Bird, Ross Landsman

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