

From: John Grobe , *etj*  
To: Daniel Collins; Darrell Roberts  
Date: 8/4/03 7:50AM  
Subject: Re: Fwd: Davis Besse Question

There are multiple issues here.....

In 1996, the EDO issued a 10CFR50.54(f) letter to all licensees demanding that they demonstrate why they had confidence in the currency and adequacy of their design basis. Most licensees responded by describing that they had adequate configuration and design management programs but committed to some sort of design reconstitution process.

Davis Besse responded likewise and during the late 90s performed some design reviews. In the 1999 time frame, they updated their response and extended their committed completion date for the design reconstitution process. During their design reviews, they had identified numerous questions. I cannot characterize the relative safety significance of the issues they identified, just that there were many of them.

They submitted a second update letter again extending their due date. At the time of the shutdown in 2002 (past their committed completion date) they still had not resolved all the issues and there were approximately 1000 in a database. Lew Myers committed that these would all be resolved before restart along with all the other issues (many thousands) they identified during the outage.

I cannot tell you the current status of those specific 50.54(f) issues, but I believe that in December, it was down to a couple hundred. We are preparing a "white paper" on this subject due to the interest level.

Another twist to this issue is that there may have been inaccurate information in the update letters....the Panel added a checklist item regarding Completeness and Accuracy of Information and the licensee is performing an extent of condition review of document from 1996 to 2002 to develop reasonable assurance that the docket is accurate. The 50.54(f) response and updates will be included in the sample of documents to review.

We'll send you any further information we come up with.

Jack

>>> Daniel Collins 08/01/03 08:14AM >>>  
Jack -

Do you know if the, "design basis issues that were supposed to have been resolved back in the 1990's," that Mr. Riccio refers to are the same as the group of issues in the "rogue database" that came to light in the late April/early May 2003 time-frame? ... Or is he referring to some other set of design basis issues?

If the "rogue database" issues are the same as the ones Mr. Riccio is referring to, my recollection is that those issues (a) weren't safety-significant and (b) have now been added to FENOC's corrective action plan. It was, in part, that issue that led us to add the wording "Some items of low safety-significance would not be required to be completed before a plant restart, but would be required to be captured within FENOC's corrective action program," at the end of the 1st paragraph in section B.6.b of the proposed Director's Decision. If there is some other set of safety-significant design basis issues, the proposed Director's Decision indicates that they would fall under the umbrella of the Restart Checklist and require resolution before a future restart.

Dan

>>> John Grobe 08/01/2003 8:20:08 AM >>>

B11

FYI. Enclosed is an e-mail following a discussion that Jim Riccio and I had on Wednesday. I'm not sure how we should proceed on this based on his e-mail to you and Sam in light that he is connecting together the 2.206 final decision and the restart question. Any response has to be closely coordinated with the 2.206 folks and the Panel. We'll kick this around Darrell and get back to you. Christine, please discuss this with Tony and if appropriate from a timing standpoint, put it on next Tuesday's panel meeting agenda.

Thanks.

Jack

**CC:** Anthony Mendiola; Christine Lipa; Dave Passehl; James Caldwell; Jan Strasma; Jim Dyer; Jon Hopkins; Monte Phillips; Tad Marsh; Viktoria Mitlyng; William Ruland