

November 6, 2003

Dear -----

Thank you for your interest and concern over the U. S. Nuclear Regulatory Commission's (NRC) regulation of the Davis-Besse Nuclear Power Plant. The NRC has received a large number of letters and e-mails concerning Davis-Besse. Since many of the issues and questions raised are similar, we are sending letters like this one to each of those who took the time to forward their concerns to us.

Our primary mission is to protect public health and safety and ensure that each nuclear power plant operates safely. This is our most important responsibility, and we take our mission very seriously.

While performing NRC-required inspections and repairs of control rod drive tubes in the top of the reactor in March 2002, FirstEnergy Nuclear Operating Company personnel discovered substantial corrosion damage to the vessel head.

Because of the damage – and the violations of NRC requirements that led to it – the agency has required that FirstEnergy perform thorough reviews of plant safety systems as well as address the reactor vessel head damage before restart. The company replaced the reactor head with an unused one from another plant. The reviews of the design and function of the safety systems have resulted in a number of repairs and improvements to plant equipment. These reviews and repairs are continuing.

In addition, the agency has required that FirstEnergy take steps to assess and improve the safety culture at the plant. Safety culture includes the attitudes of plant management and employees toward placing the highest priority on safety in plant operations. It also deals with how FirstEnergy encourages workers to raise safety concerns without fear of retaliation.

The damage to the reactor vessel head – and the management decisions that contributed to the problem – are viewed most seriously by the NRC. No other operational issue has received more attention from the agency in the past two years.

In April 2002, the NRC set up a special panel to oversee the agency's response to the vessel head damage and to manage the inspection program for ongoing work at the plant. The panel set forth a checklist of the important tasks that must be completed by FirstEnergy before the agency would consider permitting the plant to restart.

Since then, the NRC has conducted extensive inspections by nearly 50 members of the NRC staff and contractors. These inspections are continuing. The NRC has also added

a third resident inspector to its staff at the Davis-Besse plant to expand its daily coverage of activities there.

The oversight panel has held at least 33 public meetings near Oak Harbor, Ohio: a monthly meeting with the utility, open to public observation, in the afternoon followed by a meeting directly with the public in the evening. Some 30 additional public meetings have been held in the Oak Harbor area, the Region III Office in Illinois, and NRC Headquarters in Rockville, Maryland, to discuss specific issues.

The oversight panel has monitored the ongoing investigation by the NRC's Office of Investigations which is looking at possible wrongdoing in connection with the reactor vessel head damage. The findings of this investigation will be fully considered in any decision for possible restart of the plant.

The NRC also established a Lessons Learned Task Force to evaluate the NRC's own actions associated with the reactor vessel head damage. The task force made a number of recommendations to improve NRC processes, and the majority of these recommendations have been adopted by the agency.

Shortly after the vessel head damage was found, the NRC created a web site for the many documents related to Davis-Besse issues, including NRC inspection reports, meeting transcripts, and documents submitted by FirstEnergy. These documents can be reviewed at the NRC home page - <http://www.nrc.gov>. Select "Davis-Besse" from the Key Topics listing.

In addition, we have issued monthly updates on the NRC's regulatory activities for Davis-Besse. These, too, are available on the NRC's Davis-Besse web site. A copy of the most recent issue is enclosed.

Throughout this period, the NRC has been firmly focused on the safety of the Davis-Besse plant and residents of the surrounding area. The schedule and economic impact of the continuing outage on FirstEnergy have not been a factor in NRC actions.

When FirstEnergy requests permission to restart Davis-Besse, I can assure you that the NRC will make its decision on the possible restart in a careful, deliberate, and responsible manner. Restart will not be considered until FirstEnergy has resolved to the NRC's satisfaction all of the items on the NRC oversight panel's restart checklist and the agency has completed its planned inspections of plant and organizational improvements.

The NRC's decision will be based on sound regulatory and technical findings, in keeping with the requirements of federal statutes and NRC regulations. FirstEnergy will not be permitted to resume operation of the Davis-Besse plant unless we have sufficient evidence that the plant equipment and the plant management and staff are ready to safely return the plant to service and operate it safely.

Thank you for giving me the opportunity to explain the NRC's regulatory process for the Davis-Besse plant.

Sincerely,

  
James L. Caldwell  
Regional Administrator

Enclosure: October 2003 Davis-Besse  
Update

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\*See previous concurrence

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