

Mark B. Bezilla  
Vice President - Nuclear

419-321-7676  
Fax: 419-321-7582

Docket Number 50-346

License Number NPF-3

Serial Number 1-1395

December 8, 2004

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington DC 20555-0001

Subject: Response to Nuclear Regulatory Commission Non-Cited Violation 2004014-02

Ladies and Gentlemen:

FirstEnergy Nuclear Operating Company (FENOC) received Nuclear Regulatory Commission (NRC) Inspection Report 2004014 by letter dated November 8, 2004, identifying Non-Cited Violation 2004014-02 for inadequate corrective actions associated with repetitive operational performance issues. The NRC documented that contrary to the requirements of 10 CFR 50, Appendix B, Criterion V, preventive actions implemented for the root cause analyses associated with two identified Condition Reports regarding Technical Specification issues were ineffective in precluding recurrence of the adverse conditions. The Code of Federal Regulations (10 CFR 50, Appendix B, Criterion V) requires that activities affecting quality shall be prescribed by documented instructions or procedures of a type appropriate to the circumstances and shall be accomplished with those instructions or procedures. Procedure NOP-LP-2001, Condition Report Process, is a quality-related administrative procedure that requires development of corrective actions for root cause analyses which are intended to preclude repetition of adverse conditions. The NRC requested a 30-day response from the date of the Inspection Report.

FirstEnergy Nuclear Operating Company understands that the NRC determined this Non-Cited Violation to be of very low safety significance because no safety systems were degraded nor was any safety equipment rendered inoperable directly due to this issue; however, FENOC also understands that the issue is of importance to both the NRC and FENOC.

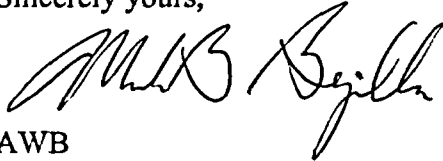
As requested by the NRC's November 8, 2004, letter the attached response provides the corrective actions that have been implemented to avoid further similar violations. The response also includes the basis for the belief that these corrective actions will be effective at preventing future operations department performance errors and the assessment of the impact that deferral of corrective actions and effectiveness reviews has had on performance improvement in operations, as requested by the NRC.

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If you have any questions or require further information, please contact Mr. Clark A. Price, Manager – Regulatory Compliance, at (419) 321- 8585.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark B. Bejlich". The signature is fluid and cursive, with the first name "Mark" and last name "Bejlich" clearly distinguishable.

AWB

Attachments

cc: Regional Administrator, NRC Region III  
DB-1 NRC/NRR Senior Project Manager  
DB-1 Senior Resident Inspector  
Utility Radiological Safety Board

**RESPONSE TO NCV 2004014-02  
INADEQUATE CORRECTIVE ACTIONS ASSOCIATED WITH REPETITIVE  
OPERATIONAL PERFORMANCE ISSUES**

**Corrective Actions that have been implemented to avoid further similar violations:**

The operators involved in the errors associated with the Technical Specification surveillances were removed from their duties to focus on individual performance and accountability. Personnel actions were taken in accordance with the FENOC performance management system. Prior to restoration of the individuals to their duties, each individual completed a remediation, which focused on attention to detail during the performance of operational tasks. Following a recent failure to perform a technical specification surveillance properly, and coupled with previous performance failures, a non-licensed operator's employment was terminated.

Communication of the errors, as well as communication of standards and expectations, has occurred through operator crew stand-downs, shift manager meetings and through review and discussions in operator training. Through these actions, a focus area on attention to detail has been established.

A departmental independent peer review of surveillances performed during the shift has been initiated to detect and correct any latent behavioral inconsistencies. Senior Reactor Operators from an alternate shift or a designated Operations management person, review surveillances completed for the crew signed on to the watch. The surveillances are reviewed for compliance to the technical specification and for completeness and consistency of documentation. A coaching session is then conducted by the reviewer with the off-going crew, at the end of the shift.

In addition, the Operations Manager recently conducted benchmarking to gather ideas on how to improve oversight of crew performance.

**Basis for the belief that these corrective actions will be effective at preventing future operations department performance errors:**

The performance management process promotes individual accountability and has proven effective with the affected individuals as discussed above. The communications regarding standards and expectations have clarified the requirements for operator performance regarding technical specifications. In the case where the non-licensed operator failed, in more than one instance, to comply with known standards, termination was necessary.

Communications with shift managers, conducted through regular shift manager meetings, has improved their ownership of crew performance (for example: a Crew Mentor Program has been initiated). These meetings are also attended by a shift manager that has been recently rotated to operator requalification training. Having this individual attend ensures that the appropriate emphasis on standards and expectations for operator performance continues to be reinforced in the initial and continuing operator training programs.

The peer reviews of surveillances performed during the shift have proven to be effective (for example: no missed Technical Specification surveillances have occurred and some shortcomings with documentation of operator logged items have been noted and corrected). The coaching sessions have been observed and have been determined as being effective at communicating attention to detail enhancements.

These actions, coupled with the continued emphasis on use of our "human performance tools," are believed to provide an effective barrier for preventing future errors.

**Assessment of the impact that deferral of corrective actions and effectiveness reviews has had on performance improvement in operations:**

Human performance errors in operations will continue to be documented in the corrective action program. Individual condition report analysis and the collective significance review, has indicated that a primary cause is individual performance shortcomings. Deferral of corrective actions associated with crew and individual performance management issues has been determined to not have had a significant impact on those causes identified in recent events. Effectiveness reviews were not yet performed because it was determined that additional time would be necessary for performance management methods to mature and provide measurable results.

The Davis-Besse management and the workforce are striving for excellence by working diligently to improve our performance and eliminate human performance errors. Should any errors occur, we will investigate the situation and implement appropriate actions focused on strengthening our barriers (e.g., individual performance, procedures, and supervision and oversight). We are committed to the safe and eventless operation of Davis-Besse Nuclear Power Station.

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Attachment 2

### COMMITMENT LIST

The following list identifies those actions committed to by FENOC's Davis-Besse Nuclear Power Station (DBNPS) in this document. Any other actions discussed in the submittal represent intended or planned actions by the DBNPS. They are described only for information and are not regulatory commitments. Please notify the Manager - Regulatory Compliance (419) 321-8585 at the DBNPS of any questions regarding this document or associated regulatory commitments.

#### COMMITMENTS

The actions taken as described in Attachment 1 to this letter constitute one-time actions and are considered complete.

#### DUE DATE

N/A