



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

RECEIVED JUL 17 1985

9/6

August 16, 1985

COMJA-85-11

MEMORANDUM FOR: Chairman Palladino  
Commissioner Roberts  
Commissioner Bernthal  
Commissioner Zech

FROM: James K. Asselstine *[Signature]*

SUBJECT: FURTHER NRC ACTIONS ON DAVIS BESSE

After reviewing the NRC Davis Besse Team's July 22, 1985 report, it appears to me that there are several issues related to the June 9 Davis Besse event that have not yet been addressed but that must be considered. These are:

1. What actions are needed before the plant will be allowed to restart, and how will we verify that these actions have been completed successfully?
2. What longer-term actions are needed to bring the Davis Besse plant up to an acceptable level of operations and maintenance performance, and how will we verify that an effective improvement program is in place and that adequate progress is being made?
3. Were there problems in the licensee's and NRC staff's reviews of the adequacy and reliability of the Davis Besse auxiliary feedwater system from 1979 to the present, or even before that period? If so, what were the root causes of these problems (such as the failure to recognize the reliability problems of the AFW system or to do anything meaningful to correct them), and are there generic implications for our regulatory program? In particular, what does this experience tell us about NRC backfitting practices, the use of cost-benefit analyses, and the accuracy of probabilistic evaluations of the reliability of plant safety systems?
4. Were there problems in the NRC staff's inspection and enforcement program for Davis Besse? Did we fully understand the seriousness of the operational problems at that plant? If so, why did we allow the situation to get so bad? Did we make full use of all available enforcement options, and are existing enforcement tools adequate? If not, is there some weakness in our inspection program? Are we looking at the right aspects of plant operation?

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5. What does this most recent experience, particularly when coupled with prior operating events, tell us about the adequacy of the B&W plant design? Does this experience indicate the need to consider modifications or improvements in the B&W design to reduce its vulnerability to serious accidents?

As I understand Mr. Dircks' August 6 memorandum, all remaining issues concerning the June 6 event are to be handled by appropriate NRC staff offices. Some of the issues I have listed above have been identified in the assignment of work to the staff offices (items 1 and 2 are examples). Others on my list have not been specifically identified by the staff. I believe that the Commission should decide how these issues should be considered and who should handle them.

I propose that the NRC staff be given the responsibility for preparing a plan for addressing items 1 and 2 above. This plan should be submitted to the Commission for review and approval. Further, I propose that the staff report to the Commission on licensee compliance with the plan and that the Commission make the final decision on when to allow restart of the plant.

As for items 3, 4 and 5, I do not believe that these issues should be handled by the NRC staff. Each of these issues involves directly the adequacy of past staff performance. For the same reasons that Mr. Dircks<sup>+</sup> established an independent team to review the various failures and root causes of the June 9 event, the Commission should insist upon an independent review of these broader issues going to the staff's performance and the performance of our overall regulatory process. In fact, I believe that the arguments for an independent review are far more compelling in the case of items 3, 4 and 5 above than for the details of what components failed and what personnel errors were made on June 9. I therefore propose that the Commission ask Tony Cotter to select three members of the Licensing Board Panel to serve as a review team to address items 3, 4 and 5 above. I suggest a lawyer, and two technical members with hardware design and operational knowledge. I would give this team the authority to detail selected NRC staff members as needed and to use people from outside the agency as needed. I would ask them to provide a report to the Commission within a reasonable time period--perhaps 60 to 90 days. This approach would both satisfy the need for an independent evaluation of key issues arising from the June 9 event and give us the opportunity to test out certain aspects of Tony Cotter's proposal for an internal NTSB-type review organization.

I request that SECY track responses to this memorandum.

cc: SECY  
OGC  
OPE  
EDO

NOTATION VOTE

RESPONSE SHEET

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

FROM: COMMISSIONER ASSELSTINE

SUBJECT: SECY-85-208 - INCIDENT INVESTIGATION PROGRAM

APPROVED \_\_\_\_\_ DISAPPROVED   X   ABSTAIN \_\_\_\_\_

NOT PARTICIPATING \_\_\_\_\_ REQUEST DISCUSSION \_\_\_\_\_

COMMENTS:

This approach is not an adequate response to the need identified by the Brookhaven report and by the ACRS. However, I approve of the alternative concept described in COMFB-85-8.

Entered on "AS"

YES

☐

NO

☐

Samuel J. Chilk  
SIGNATURE

7-25-85  
DATE

SECRETARIAT NOTE: PLEASE ALSO RESPOND TO AND/OR COMMENT ON OGC/OPE MEMORANDUM IF ONE HAS BEEN ISSUED ON THIS PAPER.



OFFICE OF THE  
COMMISSIONER

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

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October 29, 1985

MEMORANDUM FOR: Tom Combs  
FROM: Spiros Droggitis *SD*  
SUBJECT: RELEASE OF DOCUMENTS

Commissioner Asselstine requests that the attached documents  
be placed in the Public Document Room.

Attachments:  
As stated

cc: Walt Magee  
Maria Lopez-Otin  
Ken Cohen  
John Montgomery  
OGC  
OPE  
EDO  
OCA