

July 5, 2001

EA-01-083

EA-01-091

Mr. Robert F. Saunders
President
FirstEnergy Operating Company
76 South Main Street
Akron, OH 44308

SUBJECT: PREDECISIONAL ENFORCEMENT CONFERENCE

Dear Mr. Saunders:

This is to confirm that a closed, transcribed predecisional enforcement conference, to discuss the circumstances surrounding the apparent deliberate violation of NRC requirements, as described in our letter dated May 4, 2001, has been scheduled for 9:00 a.m. (Central Daylight Time) on Thursday, September 13, 2001. This is also to confirm that the Williams Power Corporation representatives including the former Site Managers for Perry and Davis Besse, who were allegedly involved in the apparent violation, will attend the conference. The conference will take place at the following address:

U.S. Nuclear Regulatory Commission
Region III
801 Warrenville Road
Lisle, IL 60532

As discussed in our letter dated May 4, 2001, the painter who was the subject of the alleged discrimination will be permitted to participate in the conference as an observer and, if he desires, following the presentations by FENOC and Williams Power, the painter may make a presentation to address his views on why he believes discrimination occurred and on the FENOC and Williams Power presentations. FENOC and Williams Power will then be afforded an opportunity to respond, and the NRC may ask some clarifying questions. In no case will the NRC staff permit FENOC and Williams Power, or the painter to cross-examine or question each other.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available **electronically** for public inspection in the NRC Public Document Room **or** from the *Publicly Available Records (PARS) component of NRC's document system (ADAMS)*. *ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html>* (the Public Electronic Reading Room).

If you have any questions, please contact Mr. Wayne J. Slawinski of my staff at (630) 829-9820.

Sincerely,

/RA/

John A. Grobe, Director
Division of Reactor Safety

Dockets Nos. 50-346; 50-440
Licenses Nos. NPF-3; NPF-58

cc: Roy P. Lessy Jr.
Akin, Gump, Strauss, Hauer & Feld, LLP.

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