

January 25, 2002

IA-01-055

Mr. Roy P. Lessy, Jr.  
Akin, Gump, Strauss, Hauer & Feld, L.L.P.  
Robert S. Strauss Building  
1333 New Hampshire Building, N.W.  
Washington, DC 20036

SUBJECT: NOTICE OF VIOLATION  
[NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2001-009]

Dear Mr. Lessy:

This is in response to your January 16, 2002, letter requesting additional time to respond to a Notice of Violation (Notice) issued to your client on December 20, 2001, for a violation of 10 CFR 50.7, "Employee Protection," at the FirstEnergy Nuclear Operating Company's Davis-Besse Nuclear Power Plant. In your January 16, 2002, letter, you indicated that a request for information had been submitted to the U.S. Nuclear Regulatory Commission under the Freedom of Information Act (FOIA) and you requested that the response to the Notice be delayed until 30 days after receiving the information requested under the FOIA. After coordination with the Office of Enforcement, your request to postpone the response to the Notice until 30 days after your receipt of the FOIA information is granted.

Any questions you may have can be directed to Bruce Berson, Regional Counsel; Chuck Weil, Enforcement Specialist; or myself. We can be reached at telephone number 630-829-9500.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and your January 16, 2002, letter will be made 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/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

**/RA/**

Brent Clayton  
Enforcement/Investigations Officer

Docket No. 50-346  
License No. NPF-3

FILE NAME: G:\EICS\01-055 IA RESPONSE EXTENSION

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R. Lessy

-2-

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