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January 16, 2002

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Bruce A. Berson, Esq.  
Regional Counsel  
U.S. Nuclear Regulatory Commission  
Region III  
801 Warrenville Road  
Lisle, IL 60532-4351

**Re: IA-01-055, NRC Office of Investigations Report No. 3-2001-009**

Dear Mr. Berson:

Reference is made to the letter and enclosure of Mr. John A. Grobe, Director-Division of Reactor Safety, to Mr. Lynn Harder of December 20, 2001 and a Notice of Violation issued to Mr. Harder, who is employed at the FirstEnergy Nuclear Operating Company's Davis-Besse Power Station. A separate Notice of Violation was issued on that date to the licensee, EA-01-261. Both the letter to Mr. Harder and the letter to FENOC require written responses within thirty days. FENOC will be submitting its response within the requested timeframe.

Mr. Harder will be requesting withdrawal of the 10 C.F.R. 50.5 violation issued to him. A Freedom of Information Act Request, FOIA-2002-0083, has been filed to assist in the preparation of the response to be filed by, and on behalf of, Mr. Harder. Accordingly, it is respectfully requested that Mr. Harder's response to IA-01-055 be deferred until thirty days after the completion by NRC of the response to FOIA-2002-0083.

Bruce A. Berson, Esq.

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It is my understanding that when copies of this letter and the response submitted on Mr. Harder's behalf are made available electronically for public inspection (normally after completion of this matter), that certain personal privacy information is routinely removed.

If there are any questions relative to this request or additional information is needed, please feel free to contact me at (202) 887-4500.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Roy P. Lessy, Jr.", written in black ink.

Roy P. Lessy, Jr.

RPLjr:ddc