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March 5, 2004
L-04-030

Secretary, Office of the Secretary of the Commission
U.S. Nuclear Regulatory Commission
Attn: Rulemakings and Adjudications Staff
Washington, DC 20555-0001

**Subject: Beaver Valley Power Station, Unit No. 1 and No. 2
BV-1 Docket No. 50-334, License No. DPR-66
BV-2 Docket No. 50-412, License No. NPF-73
Response to First Revised Order (EA-03-009)**

By letter dated February 20, 2004, the Nuclear Regulatory Commission (NRC) issued a Revised Order, establishing interim inspection requirements for reactor pressure vessel (RPV) heads at pressurized water reactors. The Revised Order modifies certain inspection aspects of the original Order, addressing common issues that emerged from industry requests for relaxation. This letter is submitted in accordance with the Revised Order and the requirements of 10 CFR 2.202, which require a written response within twenty days of the date of the Order.

By letter dated March 3, 2003 (L-03-035), the FirstEnergy Nuclear Operating Company (FENOC) provided a response for Beaver Valley Power Station (BVPS) Units 1 and 2 to the original Order (EA-03-009) on this issue dated February 11, 2003. Requests for relaxation from certain specific requirements of the Order were subsequently submitted for BVPS. A request for relaxation for BVPS Unit 1 was submitted on March 27, 2003 (L-03-053) and was granted by the NRC on April 18, 2003. A relaxation request for BVPS Unit 2 was submitted on July 29, 2003 (L-03-088), as supplemented on December 19, 2003 (L-03-198), and is currently under NRC review.


It is our understanding that the Revised Order encompasses the approved relaxation for BVPS Unit 1, therefore this relaxation and its associated conditions are no longer necessary. However, portions of the proposed relaxation for BVPS Unit 2 are still needed and the NRC is hereby requested to continue with the review/approval process on the BVPS Unit 2 relaxation submittal identified above.

This letter identifies that BVPS consents to the requirements of the Revised Order subject to: (1) the exceptions noted in the proposed relaxation for BVPS Unit 2, identified above; (2) the understanding that a request for relaxation from the inspection requirements of the Revised Order, if required, can be submitted to the NRC at a later date upon identification of such a need; and (3) reservation of the right of FENOC to request a hearing on any requirements of the Revised Order that may be subject to such a relaxation request. A relaxation request or hearing is not requested or anticipated at this time.

There are no new regulatory commitments contained in this letter. If there are any questions concerning this matter, please contact Mr. Larry R. Freeland, Manager, Regulatory Affairs/Performance Improvement at 724-682-5284.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 5, 2004.

Sincerely,



L. William Pearce

- c: Mr. T. G. Colburn, NRR Senior Project Manager
Mr. P. C. Cataldo, NRC Sr. Resident Inspector
Mr. H. J. Miller, NRC Region I Administrator
Mr. James Dyer, Director, Office of Nuclear Reactor Regulation
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