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Docket Number 50-346

License Number NPF-3

Serial Number 2373

April 24, 1996

United States Nuclear Regulatory Commission
Document Control Desk
Washington, D. C. 20555

Subject: Withdrawal of 10 CFR 50 Appendix R Exemption Request for the
Containment Annulus

Ladies and Gentlemen:

A 10 CFR 50 Appendix R exemption request was previously submitted by Toledo Edison (TE Serial Number 1809) for the Davis-Besse Nuclear Power Station (DBNPS). This exemption request was based, in part, on the existence of radiant energy shields which separate redundant trains of safe shutdown circuits within the containment annulus.

By letter dated February 24, 1993 (TE Serial Number 2118), TE notified the NRC of plans to submit additional information in support of the exemption request. By letter dated May 23, 1993 (TE Log Number 3965), the NRC notified TE that the review of the exemption request was being suspended pending submittal of the additional information. By letter dated February 20, 1996 (TE Serial Number 2358), TE notified the NRC of plans to perform the necessary preliminary walkdowns and evaluations of the radiant energy shields during the Tenth Refueling Outage, which commenced on April 8, 1996, in preparation for work to be performed during the Eleventh Refueling Outage. Toledo Edison further noted plans to submit additional information in support of the exemption request in June, 1997, and noted the need for NRC approval of the exemption request on a schedule which supports the DBNPS's overall fire protection program activities.

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Based on further review during the Tenth Refueling Outage, TE withdraws this exemption request. Toledo Edison will evaluate alternative approaches for achieving compliance with 10 CFR 50 Appendix R for the containment annulus. Until such compliance can be attained, TE will implement appropriate compensatory measures for the containment annulus.

Should you have any questions or require additional information, please contact Mr. James I. Freels, Manager - Regulatory Affairs, at (419) 21-8466.

Very truly yours,



MKL/laj

cc: L. L. Gundrum, DB-1 NRC, NRR Project Manager
H. J. Miller, Regional Administrator, NRC Region III
S. Stasek, DB-1 NRC Senior Resident Inspector
Utility Radiological Safety Board