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Director, Site Operations

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February 18, 2005
L-05-039

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, DC 20555-0001

Subject: Beaver Valley Power Station, Unit Nos. 1 and 2
BV-1 Docket No. 50-334, License No. DPR-66
BV-2 Docket No. 50-412, License No. NPF-73
Exigent License Amendment Request Nos. 326 and 177

On June 1, 2004, by letter No. L-04-074, supplemented by FENOC letter L-04-105 dated July 23, 2005, FirstEnergy Nuclear Operating Company (FENOC) submitted an application requesting amendment of the above licenses in the form of changes to the Technical Specifications for Beaver Valley Power Station (BVPS), Unit Nos. 1 and 2. Included in the application was an evaluation of no significant hazards consideration using the standards in 10CFR50.92. FENOC has complied with all applicable requirements for completeness and timeliness in submitting the subject application. Approval of the proposed amendments was requested by February 15, 2005, to support revision of the existing BVPS Unit No. 2 Pressure/Temperature limit curves prior to their expiration in mid-March 2005.

On February 17, 2005 it was determined that the requirements of 10CFR50.91(a)(2) have not been satisfied, in that *Notice for Public Comment* on the above referenced license amendment requests had not been published in the Federal Register. It has been further determined that there is insufficient time to provide for the normal 30-day notice prior to the approval and implementation of the amendment without requiring plant shutdown.

In light of the above situation, FENOC hereby requests that the NRC consider these circumstances exigent, and requests further processing of the license amendment requests to be completed under the provisions of 10CFR 50.91(a)(6). Approval of the amendment is requested by March 10, 2005, to allow implementation prior to expiration of BVPS Unit No. 2 Pressure/Temperature limit curves.

No new commitments are contained in this submittal. If you have questions or require additional information, please contact Mr. Henry L. Hegrat, Supervisor - Licensing, at 330-315-6944.

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I declare under penalty of perjury that the foregoing is true and correct. Executed on
February 18, 2005.

Sincerely,



James H. Lash

- c: Mr. T. G. Colburn, NRR Senior Project Manager
Mr. P. C. Cataldo, NRC Senior Resident Inspector
Mr. S. J. Collins, NRC Region I Administrator
Mr. D. A. Allard, Director BRP/DEP
Mr. L. E. Ryan (BRP/DEP)