

August 23, 2005

Mr. Tom Gurdziel  
9 Twin Orchard Drive  
Oswego, NY 13126

Dear Mr. Gurdziel:

Thank you for your August 14, 2005, letter providing the NRC with your thoughts on FirstEnergy Nuclear Operating Company's August 8, 2005, response to our Inspection Report 05000440/2005003. Inspection Report 05000440/2005003 documented the results from an extensive Inspection Procedure 95003 inspection at the Perry Nuclear Power Plant.

Regarding your statement that "Note that this can be done at zero percent power. And, it could be done under a 0350 committee." In fact, I request that it be done at zero power under a 0350 committee." Please be advised that the NRC has a process where individuals may request the NRC to take action involving a facility. That process is described in Title 10, Code of Federal Regulation, Part 2.206, "Requests for action under this subpart." Specifically, Section 2.206 states, "Any person may file a request to institute a proceeding pursuant to Section 2.202 to modify, suspend, or revoke a license, or for any other action as may be proper." The section goes on to provide specific guidance on how and where to file the request.

If you have any questions regarding this matter, please contact me at 630-829-9619.

Sincerely,

**/RA/**

Christine A. Lipa, Chief  
Projects Branch 4  
Division of Reactor Projects

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