



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555 - 0001

April 4, 2006

EA-05-072

Mr. Jay M. Gutierrez  
Morgan, Lewis & Bockius, LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004

SUBJECT: RESPONSE TO YOUR REQUEST FOR RESOLUTION OF ONGOING  
INSPECTION ACTIVITIES

Dear Mr. Gutierrez:

I am responding to your March 8, 2006, letter regarding the resolution of ongoing inspection activities associated with FirstEnergy Nuclear Operating Company's (FENOC's) September 14, 2005, response to the NRC's April 21, 2005, Notice of Violation (Notice) and Proposed Imposition of Civil Penalties, and more specifically FENOC's response to Violation I.E of the Notice. These inspection activities were conducted as a part of our normal followup of FENOC's response to the Notice. We have recently concluded our inspection associated with FENOC's response to Violation I.E of the Notice and did not identify any additional violations or concerns.

If you have further questions regarding this matter, please feel to contact me.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

**/RA/**

Michael R. Johnson, Director  
Office of Enforcement

Docket No. 50-346  
License No. NFP-3

cc: See next page

cc:

Mr. Mark B. Bezilla  
Vice President-Nuclear, Davis-Besse  
FirstEnergy Nuclear Operating Company  
Davis-Besse Nuclear Power Station  
5501 North State Route 2  
Oak Harbor, OH 43449-9760

The Honorable Dennis Kucinich  
G. Leidich, President and Chief  
Nuclear Officer - FENOC  
J. Hagan, Senior Vice President of  
Operations and Chief Operating Officer  
Director, Plant Operations  
Manager - Site Regulatory Compliance  
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of Fleet Engineering  
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