

May 19, 2006

Mr. Mark B. Bezilla  
Vice President  
FirstEnergy Nuclear Operating Company  
Davis-Besse Nuclear Power Station  
Mail Stop A-DB-3080  
5501 North State Route 2  
Oak Harbor, OH 43449-9760

SUBJECT: DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1 - WITHDRAWAL OF AN AMENDMENT REQUEST TO REVISE TECHNICAL SPECIFICATION 3/4.3.2.1 TO PERMIT A SINGLE INOPERABLE SAFETY FEATURES ACTUATION SYSTEM INSTRUMENT STRING FUNCTIONAL UNIT TO BE PLACED IN A BYPASSED CONDITION INDEFINITELY (TAC NO. MC5547)

Dear Mr. Bezilla:

By letter to the Nuclear Regulatory Commission (NRC) dated January 5, 2005, you applied for an amendment to the Davis-Besse Nuclear Power Station, Unit 1, Facility Operating License No. NPF-3. The proposed change would have modified the facility technical specifications (TS) pertaining to TS 3/4.3.2.1, "Safety Features Actuation System [SFAS] Instrumentation," to permit a single inoperable SFAS functional unit to be placed in a bypassed condition indefinitely.

In response to the NRC staff's request for additional information (RAI) dated November 23, 2005, your staff conducted a preliminary risk evaluation and determined that a full risk evaluation was too resource intensive and may not yield acceptable results. As a result, you did not submit a formal response to the RAI. Subsequently, by letter dated April 21, 2006, you withdrew the amendment request.

The Commission has filed the enclosed Notice of Withdrawal of Application for Amendment to Facility Operating License with the Office of the Federal Register for publication.

Sincerely,

Stephen J. Campbell, Project Manager */RAI/*  
Plant Licensing Branch III-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-346

Enclosure:  
Notice of Withdrawal

cc w/encl: See next page

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UNITED STATES NUCLEAR REGULATORY COMMISSIONFIRSTENERGY NUCLEAR OPERATING COMPANYANDFIRSTENERGY NUCLEAR GENERATION CORP.DOCKET NO. 50-346NOTICE OF WITHDRAWAL OF APPLICATION FORAMENDMENT TO FACILITY OPERATING LICENSE

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of FirstEnergy Nuclear Operating Company and FirstEnergy Nuclear Generation Corp. (the licensees) to withdraw its January 5, 2005, application for proposed amendment to Facility Operating License No. NPF-3 for the Davis-Besse Nuclear Power Station, Unit 1, located in Ottawa County.

The proposed amendment would have revised Technical Specification (TS) 3/4.3.2.1, "Safety Features Actuation System [SFAS] Instrumentation," to permit a single inoperable SFAS functional unit to be placed in a bypassed condition indefinitely.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the *Federal Register* on February 15, 2005 (70 FR 7765). However, in response to answering the NRC staff's request for additional information (RAI) dated November 23, 2005, the licensees conducted a preliminary risk evaluation and determined that a full risk evaluation was too resource intensive and may not yield acceptable results. As a result, the licensees did not submit a formal response to the RAI. Subsequently, by letter dated April 21, 2006, the licensees withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated January 5, 2005, and the licensees' letter dated April 21, 2006, which withdrew the application

for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by email to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this                      day of May 2006.

FOR THE NUCLEAR REGULATORY COMMISSION

Stephen J. Campbell, Project Manager  
Plant Licensing Branch III-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation