

June 26, 2007

Mr. Barry S. Allen
Site Vice President
FirstEnergy Nuclear Operating Company
Mail Stop A-PY-A290
P.O. Box 97, 10 Center Road
Perry, OH 44081-0097

SUBJECT: PERRY NUCLEAR POWER PLANT, UNIT NO. 1 - WITHDRAWAL OF
AMENDMENT REQUEST ASSOCIATED WITH MODE 4 RESIDUAL HEAT
REMOVAL (RHR) SHUTDOWN COOLING REQUIREMENTS (TAC NO.
MD2140)

Dear Mr. Allen:

By letter dated June 1, 2006, you applied for an amendment to the Perry Nuclear Power Plant Unit No. 1 (Perry), Facility Operating License No. NPF-58. The proposed change would have modified the facility technical specifications (TS) pertaining to TS 3.4.10, "Residual Heat Removal (RHR) Shutdown Cooling System - Cold Shutdown," by adding a default Condition to address situations when an RHR Shutdown Cooling subsystem becomes inoperable in MODE 4 and, within the Completion Time of 1 hour, an alternate method of decay heat removal cannot be verified to be available. Subsequently, by letter dated June 19, 2007, 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,

/RA/

Stephen P. Sands, Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor

Regulation

Docket No. 50-440

Enclosure: Notice of Withdrawal

cc w/encl: See next page

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Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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Perry Nuclear Power Plant, Unit No. 1

cc:

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Perry Nuclear Power Plant, Unit No. 1

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UNITED STATES NUCLEAR REGULATORY COMMISSION

FIRSTENERGY NUCLEAR OPERATING COMPANY

DOCKET NO. 50-440NOTICE OF WITHDRAWAL OF APPLICATION FOR
AMENDMENT TO FACILITY OPERATING LICENSE

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of FirstEnergy Nuclear Operating Company (the licensee), to withdraw its June 1, 2006, application for proposed amendment to Facility Operating License No. NPF-58 for the Perry Nuclear Power Plant, Unit No. 1, located in Lake County, Ohio.

The proposed amendment would have modified the facility technical specifications (TS) pertaining to TS 3.4.10, "Residual Heat Removal (RHR) Shutdown Cooling System - Cold Shutdown," by adding a default Condition to address situations when an RHR Shutdown Cooling subsystem becomes inoperable in MODE 4 and, within the Completion Time of 1 hour, an alternate method of decay heat removal cannot be verified to be available.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the FEDERAL REGISTER on August 15, 2006 (71 FR 46935). However, by letter dated June 19, 2007, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated June 1, 2006, and the licensee's letter dated June 19, 2007, 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.

Dated at Rockville, Maryland, this 26th day of June 2007.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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