

November 19, 2007

Mr. Mark B. Bezilla
Site 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 NO. 1 - REVIEW OF
MEASUREMENT UNCERTAINTY RECAPTURE POWER UPRATE
APPLICATION FOR DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1
(TAC NO. MD5240)

Dear Mr. Bezilla:

By letter dated April 12, 2007, FirstEnergy Nuclear Operating Company (FENOC) submitted an amendment request for Davis-Besse Nuclear Power Station Unit No. 1 (DBNPS). The proposed amendment, using a feedwater flow measurement uncertainty recapture (MUR), would change the DBNPS operating license to increase the maximum authorized power level by approximately 1.6 percent above the current maximum authorized power level. The MUR amendment request was scheduled for completion by November 18, 2007.

On July 25, 2007, the U.S. Nuclear Regulatory Commission (NRC) staff submitted a request for additional information (RAI) concerning the application. By letter dated September 18, 2007, FENOC provided responses to the RAI, which included a commitment to provide the setpoint calculations for the high flux trip field instrumentation for NRC staff review by November 1, 2007. On November 8, 2007, FENOC informed the NRC that, due to insufficient staff resources caused by the unexpected departure of two key engineers working on the calculation, FENOC would not be able to provide that information until some time in January 2008.

To date the NRC staff has tracked the DBNPS MUR power uprate application review under TAC No. MD5240. The NRC staff has completed a substantial portion of the review of your application, but is unable to complete the review at this time because of a lack of information concerning the high flux trip instrumentation. Therefore, in order to more efficiently manage NRC staff resources, the NRC staff is closing TAC MD5240. Upon receipt of the information necessary to support your application, the NRC staff will resume its review. A new TAC will be established to track the NRC staff's reviews necessary to complete the review of your application. Closure of TAC No. MD5240 does not represent a denial of FENOC's license amendment request. Rather, the NRC considers this amendment to be on hold. Therefore, FENOC does not need to resubmit this request. However, we encourage FENOC to align its resources to supplement the MUR power uprate application with the outstanding information necessary for the NRC to complete its review.

M. Bezilla

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If you have any questions regarding this letter, please contact me at 301-415-4037.

Sincerely,

/RA/

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

Docket No. 50-346

cc: See next page

M. Bezilla

-2-

If you have any questions regarding this letter, please contact me at 301-415-4037.

Sincerely,

/RA/

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

Docket No. 50-346

cc: See next page

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