From: Eric Duncan
To: ExponentReportGroup
Date: Fri, May 4, 2007 9:42 AM
Subject: Fwd: Toledo Blade Story

See attached FYI.

>>> Viktoria Mitlyng 05/04/2007 9:36:01 AM >>>
Article published Friday, May 4, 2007
Davis-Besse may operate during NRC review

By TOM HENRY
BLADE STAFF WRITER

The Nuclear Regulatory Commission yesterday affirmed that Davis-Besse and 68 other nuclear plants will be allowed to continue normal operations while the government agency assesses a controversial 661-page report that FirstEnergy Corp. is using in hopes of processing a $200 million insurance claim.

Viktoria Mitlyng, NRC spokesman, also said the agency's headquarters soon will respond directly to concerns Judge David Katz, of U.S. District Court in Toledo, has raised about the report.

The document purports that most of the damage to Davis-Besse's old reactor head was the result of accelerated corrosion during the last three weeks before the plant was shut down for two years on Feb. 16, 2002, contrary to what the NRC itself has said. Agency officials previously attributed the plant's dangerous condition to a pattern of utility negligence over years.

David Lochbaum of the Union of Concerned Scientists on Monday filed a petition with the NRC demanding an immediate shutdown of either Davis-Besse or each of the 68 other nuclear plants with Besse-like pressurized reactors until the discrepancy is sorted out. The NRC yesterday rejected that aspect of Mr. Lochbaum's petition, but said it will assess others.

America has 103 nuclear plants. Sixty-nine, including Davis-Besse, have pressurized reactors. The other 34, including the Fermi 2 plant north of Monroe, operate under less pressure with boiling water reactors.

The FirstEnergy consultants' report was completed Dec. 15 and has been in the agency's hands since March 20. It was made public in early April, less than a month before the first of three workers formally associated with Davis-Besse were to stand trial on criminal charges of withholding information from the government.

Judge Katz, who has delayed their trials until the fall, said April 20 he was reluctant to proceed until the NRC says whether the new report is more credible than the government's own prior research.

U.S. Rep. Dennis Kucinich (D., Cleveland) used the consultants' report last month as a basis for renewing his demand to have the NRC revoke FirstEnergy's operating license at Davis-Besse. The NRC has not acted on that, Ms. Mitlyng said.

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