

May 7, 2008

EA-07-199

Mr. Joseph J. Hagan  
President and Chief Nuclear Officer  
FirstEnergy Nuclear Operating Company  
76 South Main Street  
Akron, OH 44308

SUBJECT: ACKNOWLEDGEMENT OF RECEIPT OF RESPONSES REQUIRED BY  
CONFIRMATORY ORDER

Dear Mr. Hagan:

This acknowledges receipt of your letter dated March 18, 2008, in which you provided a summary of the results and a description of the actions taken or planned based on the results of the assessment of the first effectiveness review required by the NRC Confirmatory Order issued to FirstEnergy Nuclear Operating Company (FENOC) on August 15, 2007. Our evaluation of the steps FENOC has taken thus far to implement the Order continues. The NRC will document its evaluation in a series of inspection reports for Davis Besse, Perry, and Beaver Valley during this calendar year.

The NRC will finalize its evaluation after you have completed the second external effectiveness review, required by the Section IV, Paragraph 2 of the order, which is to be completed in January 2009, and will inform you of the results of our final evaluation under separate correspondence.

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

Sincerely,

/RA/

Cynthia A. Carpenter, Director  
Office of Enforcement

Docket Nos. 50-346; 50-440; 50-334; 50-412  
License Nos. NPF-3; NPF-58; DPR-66; NPF-73

cc: Attached page

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cc: Letter to Joseph J. Hagan, dated: May 7, 2008

J. Lash, Senior Vice President of Operations and Chief Operating Officer  
Richard Anderson, Vice President, Nuclear Support  
Mark Bezilla, Site Vice President, Perry  
Barry S. Allen, Site Vice President, Davis-Besse  
Manager - Site Regulatory Compliance (Beaver Valley, Davis-Besse, Perry)  
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