

**From:** Gratton, Christopher  
**Sent:** Monday, January 04, 2010 2:07 PM  
**To:** 'rritzman@firstenergycorp.com'; 'ghalnon@firstenergycorp.com'  
**Cc:** Morgan, Nadiyah; Sands, Stephen; Mahoney, Michael; Campbell, Stephen; Boggi, Michael  
**Subject:** Acceptance Review Results - 10 CFR Part 26 Exemption Request, Dated November 13, 2009 - TAC Nos. ME2652-5

**Subject:** Acceptance Review Results - "Request for Exemption from Portions of 10 CFR 26, 'Fitness for Duty Programs,'" dated November 13, 2009

By letter dated November 13, 2009, First Energy Nuclear Operating Company (FENOC) submitted an exemption request for Beaver Valley Power Station, Unit Nos. 1 and 2, Davis-Besse Nuclear Power Station, and Perry Nuclear Power Plant, requesting an exemption from portions of the requirements of 10 CFR 26.5, "Definitions," specifically those that define the 8-hour shift schedule and the 10-hour shift schedule, by changing the breakpoint between an 8-hour shift and a 10-hour shift by half an hour, from 9 hours to 9.5 hours.

The purpose of this email is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this exemption. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the exemption request has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

The NRC staff has reviewed your request and concluded that it does provide technical information in sufficient detail to enable the staff to proceed with its detailed technical review and make an independent assessment regarding the acceptability of the proposed exemption in terms of regulatory requirements and the protection of public health and safety and the environment. If additional information is needed for the staff to complete its technical review, you will be advised by separate correspondence.

Christopher Gratton  
Senior Project Manager  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

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Mail Envelope Properties ()

**Subject:** Acceptance Review Results - 10 CFR Part 26 Exemption Request, Dated November 13, 2009 - TAC Nos. ME2652-5  
**Sent Date:** 01/04/2010 1:38:35 PM  
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**From:** Gratton, Christopher

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