



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

July 8, 2010

Mr. James H. Lash  
President and Chief Nuclear Officer  
FirstEnergy Nuclear Operating Company  
Mail Stop A-G0-19  
76 South Main Street  
Akron, Ohio 44308

SUBJECT: WITHDRAWAL ACKNOWLEDGEMENT LETTER OF THE EXEMPTION  
REQUEST FROM PORTIONS OF 10 CFR PART 26 "FITNESS FOR DUTY  
PROGRAMS" (TAC NOS. ME2652, ME2653, ME2654 AND ME2655)

Dear Mr. Lash:

By letter dated November 13, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML093240130), FirstEnergy Nuclear Operating Company (FENOC) submitted an exemption request for Beaver Valley Power Station, Unit Nos. 1 and 2; Davis-Besse Nuclear Power Station, Unit No. 1; and Perry Nuclear Power Plant, Unit No. 1. The submittal requested an exemption from Title 10 of the *Code of Federal Regulations* (10 CFR) Part 26.5 "Definitions." FENOC requested that the breakpoint, which defines the boundary of an 8-hour shift schedule and a 10-hr shift schedule, be changed from 9 hours to 9.5 hours.

By letter dated June 7, 2010 (ADAMS Accession No. ML101660085), you requested to withdraw the exemption request from the Nuclear Regulatory Commission (NRC) review. The NRC staff acknowledges your request to withdraw the application. NRC staff activities on the review have ceased and the associated Technical Assignment Control numbers have been closed.

If you have any questions regarding this matter, I may be reached at (301) 415-3302.

Sincerely,

*Araceli T. Billoch Colón*

Araceli T. Billoch Colón, Project Manager  
Plant Licensing Branch III-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-334, 50-412, 50-346, and 50-440

cc: Distribution via Listserv

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