



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, IL 60532-4352

July 7, 2010

CAL No. 3-10-001

Mr. Barry Allen
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: CLOSURE OF COMMITMENT NO. 1 OF CONFIRMATORY ACTION LETTER
(CAL) No. 3-10-001**

Dear Mr. Allen:

On June 23, 2010, the U.S. Nuclear Regulatory Commission (NRC) issued Confirmatory Action Letter (CAL) No. 3-10-001 to FirstEnergy Nuclear Operating Company (FENOC) to confirm your commitments regarding the identification of control rod drive mechanism (CRDM) nozzle cracks in and reactor pressure boundary leakage from the reactor pressure vessel (RPV) head at the Davis-Besse Nuclear Power Station. These commitments were intended to provide additional assurance that, following your refueling outage which began on February 28, 2010, the plant would continue to operate safely following the return of the current RPV head to service.

As you initially documented in your June 11, 2010, letter to the NRC, one of the commitments in the CAL was that you would provide to the NRC, in writing, the results of the Re-Inspection Years (RIY) calculation for Operating Cycle 17, performed in accordance with American Society of Mechanical Engineers (ASME) Code Case N-729-1 based on calculated RPV head temperatures. This commitment was due to the NRC prior to plant restart (Mode 2). We acknowledge that, as confirmed in your June 22, 2010, letter to us, we have received this information and that a copy of the calculation used to determine this information has been provided to the NRC Special Inspection Team currently onsite. The results of our review of the calculation will be documented in the Special Inspection Team inspection report, when it is issued following completion of the inspection.

We consider Commitment No. 1 of CAL No. 3-10-001, dated June 23, 2010, to be closed.

Commitments No. 2 through 4 remain open. You are reminded that, pursuant to Section 182 of the Atomic Energy Act, 42 U.S.C. 2232, you are required to: 1) notify the Region III Regional Administrator if for any reason you cannot complete the actions and commitments contained in the enclosure to our June 23, 2010, Confirmatory Action Letter (ML101740519) within the specified schedule and advise him in writing of your modified schedule in advance of the change; and 2) notify the same in writing when you have completed the actions and commitments addressed in the Confirmatory Action Letter.

B. Allen

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Sincerely,

/RA/

Jamnes L. Cameron, Chief
Branch 6
Division of Reactor Projects

Docket No. 50-346
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B. Allen

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Sincerely,

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Letter to B. Allen from J. Cameron dated July 7, 2010

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(CAL) No. 3-10-001

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