



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

March 4, 2011

Mr. Mark B. Bezilla
Site Vice President
FirstEnergy Nuclear Operating Company
Mail Stop A-PY-A290
P.O. Box 97, 10 Center Road
Perry, OH 44081-0097

SUBJECT: PERRY NUCLEAR POWER PLANT, UNIT NO. 1 – ACCEPTANCE OF REQUESTED LICENSING ACTION REGARDING 10 CFR 50.55A RELIEF REQUESTS IN SUPPORT OF THE THIRD 10-YEAR INSERVICE INSPECTION INTERVAL (TAC NOS. ME5373 AND ME5375 THROUGH ME5382)

Dear Mr. Bezilla:

By letter dated January 24, 2011 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML110320065), FirstEnergy Nuclear Operating Company (FENOC, the licensee) submitted nine relief requests (RRs) for Perry Nuclear Power Plant, Unit 1. The proposed RRs are in support of the third 10-year inservice inspection interval. The purpose of this letter is to provide the results of the Nuclear Regulatory Commission (NRC) staff's acceptance review of these proposed RRs. 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 application 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 application and concluded that RRs PT-001 (TAC No. ME5373), IR-056 (TAC No. ME5376), IR-054 (TAC No. ME5377), IR-009 (TAC No. ME5378), IR-043 (TAC No. ME5379), IR-027 (TAC No. ME5380) and IR-013 (TAC No. ME5381) provide technical information in sufficient detail to enable the NRC staff to complete its detailed technical review and make an independent assessment regarding the acceptability of the proposed amendment in terms of regulatory requirements and the protection of public health and safety and the environment.

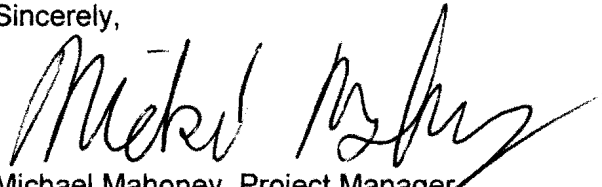
The NRC staff recommends that the licensee withdraw RR IR-001, Revision 3 (TAC No. ME5375). The licensee proposed an alternative for VT-2 visual examinations and limited coverage of the reactor pressure vessel bottom meridional head welds in which the American Society of Mechanical Engineers (ASME) Code requires examination of the accessible length of the welds. The ASME Code Committees recognize the limitations of examining these welds and specifically stated in this particular ASME Code requirement to examine the accessible length of the welds. The licensee stated in its relief that it did examine the accessible length of the subject welds. Therefore they met the ASME Code requirements and NRC recommends the licensee to withdraw this RR.

The NRC staff recommends that the licensee withdraw RR IR-012, Revision 2 (TAC No. ME5382). This RR pertained to limited examination coverage which would come under Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.55a(g)(5)(iii), for impracticality. However, the licensee submitted this relief under 10 CFR 50.55a(a)(3)(i) as an alternative. The NRC recommends the licensee to perform the examination prior to submitting a request for relief in order to determine the actual coverage. The licensee is to submit an RR for impracticality as required per 10 CFR 50.55a(g)(iii), if required after examination. Therefore, the NRC recommends that the licensee withdraw this RR.

Given the lesser scope and depth of the acceptance review as compared to the detailed technical review, there may be instances in which issues that impact the NRC staff's ability to complete the detailed technical review are identified despite completion of an adequate acceptance review. You will be advised of any further information needed to support the NRC staff's detailed technical review by separate correspondence.

If you have any questions, please contact the Project Manager, Michael Mahoney, at (301) 415-3867 or by email at michael.mahoney@nrc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Mahoney", written over a horizontal line.

Michael Mahoney, Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-440

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M. Bezilla

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The NRC staff recommends that the licensee withdraw RR IR-012, Revision 2 (TAC No. ME5382). This RR pertained to limited examination coverage which would come under Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.55a(g)(5)(iii), for impracticality. However, the licensee submitted this relief under 10 CFR 50.55a(a)(3)(i) as an alternative. The NRC recommends the licensee to perform the examination prior to submitting a request for relief in order to determine the actual coverage. The licensee is to submit an RR for impracticality as required per 10 CFR 50.55a(g)(iii), if required after examination. Therefore, the NRC recommends that the licensee withdraw this RR.

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If you have any questions, please contact the Project Manager, Michael Mahoney, at (301) 415-3867 or by email at michael.mahoney@nrc.gov.

Sincerely,

/RA/

Michael Mahoney, Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-440

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