



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

May 19, 2011

Mr. Barry S. 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: DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1 – ACCEPTANCE OF REQUESTED LICENSING ACTION RE: RELIEF REQUEST, PROPOSED ALTERNATIVE TO SYSTEM LEAKAGE TEST REQUIREMENTS (TAC NO. ME6056)

Dear Mr. Allen:

By letter dated April 15, 2011 (Agencywide Documents Access and Management System Accession No. ML11109A119), FirstEnergy Nuclear Operating Company submitted a relief request (RR) for Davis-Besse Nuclear Power Station (DBNPS), Unit 1. The proposed RR provides a proposed alternative to certain requirements associated with the inservice testing program for DBNPS.

The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff acceptance review of this proposed RR. 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.

Pursuant to Sections 50.55a(a)(3)(i) and 50.55a(a)(3)(ii) of Title 10 of the *Code of Federal Regulations* (10 CFR), the applicant shall demonstrate that the proposed alternatives would provide an acceptable level of quality and safety, or that compliance with the specified requirements of Section 50.55a would result in hardship or unusual difficulty without a compensating increase in the level of quality or safety.

The NRC staff has reviewed your application and concluded that the RR provides technical information in sufficient detail to enable the 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. 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.

B. Allen

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If you have any questions, please contact the DBNPS 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", with a long horizontal flourish extending to the right.

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

Docket No. 50-346

cc: Distribution via Listserv

B. Allen

- 2 -

If you have any questions, please contact the DBNPS 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. 50-346

cc: Distribution via Listserv

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NRR-028

OFFICE	DORL/LPL3-2/PM	DORL/LPL3-2/LA	DORL/LPL3-2/BC
NAME	MMahoney	SRohrer	JZimmerman
DATE	5/18/11	5/12/11	5/19/11

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