

June 25, 2014
EN-14-024

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: FirstEnergy Nuclear Operating Company (EA-14-094)
Davis-Besse Nuclear Power Station
Docket Number 50-346

Subject: CONFIRMATORY ORDER TO FIRSTENERGY NUCLEAR OPERATING
COMPANY

This is to inform the Commission that a Confirmatory Order (CO) will be issued on or about June 30, 2014, to FirstEnergy Nuclear Operating Company (FENOC, licensee), confirming FENOC's commitment to submit its license amendment request (LAR) by December 31, 2015. This LAR will transition the Davis-Besse Nuclear Power Station (DBNPS) Unit 1, to the National Fire Protection Association (NFPA) Standard 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants," in accordance with Section 50.48(c) to Title 10 of the *Code of Federal Regulations*.

On June 29, 2011, FENOC committed to the date of July 1, 2014, for submission of its license amendment application. However, the transition analysis has resulted in the identification of design modifications, such as the installation of new independent source of emergency feedwater and the addition of two reactor coolant system inventory makeup pumps that will be necessary for the implementation of the new fire protection license and will require more time than anticipated. In a letter dated April 1, 2014, FENOC proposed a new submittal date of December 31, 2015. This proposed date is beyond the previous committed submittal date and, thus, exceeds the enforcement discretion (i.e., until July 1, 2014) that the NRC granted to DBNPS for certain fire protection noncompliances.

The licensee provided justification for the revised submittal date, which included a summary of additional modifications that support the NFPA 805 application, in parallel with the development of its license amendment application. The staff reviewed this information, and found that FENOC provided adequate justification for the submittal delay. The CO constitutes the NRC's acceptance of the proposed December 31, 2015 submittal date, and extends enforcement discretion for certain fire protection noncompliances for DBNPS Unit 1 until December 31, 2015.

The schedule for the issuance for all actions is:

Mailing of Notice and closure letters	June 30, 2014
Telephone notification to the licensee	June 30, 2014

The state of Ohio will be notified.

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