



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

August 6, 2019

Mr. John W. Judge
President and Chief Executive Officer
FirstEnergy Solutions Corp.
341 White Pond Drive
Akron, OH 44320

SUBJECT: DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1—WITHDRAWAL OF LICENSING ACTIONS ASSOCIATED WITH THE PERMANENT SHUT DOWN OF THE PLANT (EPIDS L-2018-LLA-0287, L-2019-LLA-0011, L-2019-LLA-0012, L-2019-LLE-0011, AND L-2019-LLQ-0000)

Dear Mr. Judge:

By letter dated July 26, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19207A097), FirstEnergy Solutions Corp. (FES) informed the U.S. Nuclear Regulatory Commission (NRC) that it has reversed its decision to permanently cease power operations at Davis-Besse Nuclear Power Station (DBNPS), Unit No. 1, and Perry Nuclear Power Plant, Unit No. 1 (ADAMS Accession No. ML18115A007). FES is the parent company of FirstEnergy Nuclear Generation, LLC, which owns these plants. In addition, FES withdrew the following DBNPS licensing actions originally requested by FirstEnergy Nuclear Operating Company (the licensee):

1. the October 22, 2018 (ADAMS Accession No. ML18295A289), license amendment request (LAR) to revise the definitions and administrative controls in the DBNPS technical specifications (TS) to support the planned permanent cessation of power operations;
2. the February 5, 2019 (ADAMS Accession No. ML19036A523), LAR to revise the DBNPS license and TS to reflect the permanently defueled condition;
3. the February 5, 2019 (ADAMS Accession No. ML19036A524), LAR to revise the DBNPS emergency plan following the permanent cessation of power operations to reflect the post-shutdown and permanently defueled condition
4. the April 30, 2019 (ADAMS Accession No. ML19120A208), request for an exemption from certain record retention requirements; and
5. the April 30, 2019 (ADAMS Accession No. ML19120A209), request for approval of the DBNPS decommissioning quality assurance plan.

The NRC has filed the enclosed notices of withdrawal of the three applications for amendments to the DBNPS renewed facility operating license with the Office of the Federal Register for publication.

Sincerely,



Blake A. Purnell, Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-346

Enclosure:

1. Notice of Withdrawal October 22, 2018, Application
2. Notice of Withdrawal February 5, 2019,
Application for Permanently Defueled TS
3. Notice of Withdrawal February 5, 2019,
Application for Post-Shutdown Emergency Plan

cc: Mr. Mark B. Bezilla
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Additional distribution via Listserv

ENCLOSURE 1

FEDERAL REGISTER NOTICE

Withdrawal of October 22, 2018, Application

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-346; NRC-2019-0028]

**FirstEnergy Nuclear Operating Company; Davis-Besse Nuclear Power Station,
Unit No. 1**

AGENCY: Nuclear Regulatory Commission.

ACTION: License amendment application; withdrawal by applicant.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has granted the request of FirstEnergy Solutions Corp. (FES) to withdraw the FirstEnergy Nuclear Operating Company (FENOC, the licensee) application dated October 22, 2018, for a proposed amendment to Renewed Facility Operating License No. NPF-3. The proposed amendment would have made changes to the Davis-Besse Nuclear Power Station (DBNPS), Unit No. 1, technical specifications (TS) to permit certain changes in plant operations when the plant is permanently defueled.

DATES: [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Please refer to Docket ID NRC-2019-0028 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- **Federal Rulemaking Web Site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2019-0028. Address questions about NRC docket IDs in Regulations.gov to Jennifer Borges; telephone: 301-287-9127; e-mail: Jennifer.Borges@nrc.gov. For technical questions, contact the individual listed in the FOR FURTHER INFORMATION CONTACT section of this document.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly-available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "[Begin Web-based ADAMS Search.](#)" For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Blake A. Purnell, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-1380, e-mail: Blake.Purnell@nrc.gov.

SUPPLEMENTARY INFORMATION:

The NRC has granted the request of FES to withdraw the FENOC application dated October 22, 2018 (ADAMS Accession No. ML18295A289), as supplemented by

letter dated February 27, 2019 (ADAMS Accession No. ML19058A328), for a proposed amendment to Renewed Facility Operating License No. NPF-3 for the DBNPS located in Ottawa County, Ohio. FES is the parent company of FirstEnergy Nuclear Generation, LLC, which owns DBNPS. The proposed amendment would have changed the DBNPS TS to permit changes in plant operations when the plant is permanently defueled. Specifically, the licensee proposed to revise the TS to support the implementation of the certified fuel handler and non-certified operator positions. In addition, certain organization, staffing, and training requirements in the TS would have been revised. The proposed amendment would have also made other administrative changes.

The Commission previously issued a proposed finding that the amendment involves no significant hazards consideration published in the *Federal Register* on January 30, 2019 (84 FR 494). However, by letter dated July 26, 2019 (ADAMS Accession No. ML19207A097), FES requested to withdraw the proposed amendment.

Dated at Rockville, Maryland, this day of August 2019.

For the Nuclear Regulatory Commission.

Blake A. Purnell, Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

ENCLOSURE 2

FEDERAL REGISTER NOTICE

**Withdrawal of February 5, 2019, Application for
Permanently Defueled Technical Specifications**

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-346; NRC-2019-0087]

**FirstEnergy Nuclear Operating Company; Davis-Besse Nuclear Power Station,
Unit No. 1**

AGENCY: Nuclear Regulatory Commission.

ACTION: License amendment application; withdrawal by applicant.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has granted the request of FirstEnergy Solutions Corp. (FES) to withdraw the FirstEnergy Nuclear Operating Company (FENOC, the licensee) application dated February 5, 2019, for a proposed amendment to Renewed Facility Operating License No. NPF-3. The proposed amendment would have made changes to the Davis-Besse Nuclear Power Station (DBNPS), Unit No. 1, license and technical specifications (TS) to reflect the permanent cessation of reactor operation and permanent defueling of the reactor.

DATES: [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Please refer to Docket ID NRC-2019-0087 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- **Federal Rulemaking Web Site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2019-0087. Address questions about NRC docket IDs in Regulations.gov to Jennifer Borges; telephone: 301-287-9127; e-mail: Jennifer.Borges@nrc.gov. For technical questions, contact the individual listed in the FOR FURTHER INFORMATION CONTACT section of this document.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly-available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "[Begin Web-based ADAMS Search.](#)" For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Blake A. Purnell, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-1380, e-mail: Blake.Purnell@nrc.gov.

SUPPLEMENTARY INFORMATION:

The NRC has granted the request of FES to withdraw the FENOC application dated February 5, 2019 (ADAMS Accession No. ML19036A523), as supplemented by

letters dated May 16 and June 26, 2019 (ADAMS Accession Nos. ML19136A240 and ML19177A289, respectively), for a proposed amendment to Renewed Facility Operating License No. NPF-3 for the DBNPS located in Ottawa County, Ohio. FES is the parent company of FirstEnergy Nuclear Generation, LLC, which owns DBNPS. The proposed amendment would have revised the DBNPS renewed facility operating license and TS following the permanent cessation of power operations to reflect the post-shutdown and permanently defueled condition. The proposed amendment would have eliminated TS requirements and license conditions which would not have been applicable once DBNPS ceased power operations and could no longer place fuel in the reactor vessel. The proposed amendment would have also eliminated obsolete license conditions. In addition, the proposed amendment would have revised several license conditions and TS requirements, including limiting conditions for operation, usage rules, definitions, surveillance requirements, and administrative controls. The licensing bases for DBNPS, including the design bases accident analysis, would have also been revised.

The Commission previously issued a proposed finding that the amendment involves no significant hazards consideration published in the *Federal Register* on April 9, 2019 (84 FR 14149). However, by letter dated July 26, 2019 (ADAMS Accession No. ML19207A097), FES requested to withdraw the proposed amendment.

Dated at Rockville, Maryland, this day of August 2019.

For the Nuclear Regulatory Commission.

Blake A. Purnell, Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

ENCLOSURE 3

FEDERAL REGISTER NOTICE

**Withdrawal of February 5, 2019, Application for
Post-Shutdown Emergency Plan**

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-346; NRC-2019-0065]

**FirstEnergy Nuclear Operating Company; Davis-Besse Nuclear Power Station,
Unit No. 1**

AGENCY: Nuclear Regulatory Commission.

ACTION: License amendment application; withdrawal by applicant.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has granted the request of FirstEnergy Solutions Corp. (FES) to withdraw the FirstEnergy Nuclear Operating Company (FENOC, the licensee) application dated February 5, 2019, for a proposed amendment to Renewed Facility Operating License No. NPF-3. The proposed amendment would have revised the Davis-Besse Nuclear Power Station (DBNPS), Unit No. 1, emergency plan following the permanent cessation of power operations to reflect the post-shutdown and permanently defueled condition.

DATES: [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Please refer to Docket ID NRC-2019-0065 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- **Federal Rulemaking Web Site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2019-0065. Address questions about NRC docket IDs in Regulations.gov to Jennifer Borges; telephone: 301-287-9127; e-mail: Jennifer.Borges@nrc.gov. For technical questions, contact the individual listed in the FOR FURTHER INFORMATION CONTACT section of this document.

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FOR FURTHER INFORMATION CONTACT: Blake A. Purnell, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-1380, e-mail: Blake.Purnell@nrc.gov.

SUPPLEMENTARY INFORMATION:

The NRC has granted the request of FES to withdraw the FENOC application dated February 5, 2019 (ADAMS Accession No. ML19036A524), as supplemented by

letters dated April 10 and July 8, 2019 (ADAMS Accession Nos. ML19100A000 and ML19189A109, respectively), for a proposed amendment to Renewed Facility Operating License No. NPF-3 for the DBNPS located in Ottawa County, Ohio. FES is the parent company of FirstEnergy Nuclear Generation, LLC, which owns DBNPS. The proposed amendment would have revised the DBNPS emergency plan following the permanent cessation of power operations to reflect the post-shutdown and permanently defueled condition. The proposed changes included revision of the emergency response organization staffing and editorial changes.

The Commission previously issued a proposed finding that the amendment involves no significant hazards consideration published in the *Federal Register* on March 12, 2019 (84 FR 8910). However, by letter dated July 26, 2019 (ADAMS Accession No. ML19207A097), FES requested to withdraw the proposed amendment.

Dated at Rockville, Maryland, this day of August 2019.

For the Nuclear Regulatory Commission.

Blake A. Purnell, Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1—WITHDRAWAL OF LICENSING ACTIONS ASSOCIATED WITH THE PERMANENT SHUT DOWN OF THE PLANT (EPIDS L-2018-LLA-0287, L-2019-LLA-0011, L-2019-LLA-0012, L-2019-LLE-0011, AND L-2019-LLQ-0000) DATED AUGUST 6, 2019

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ADAMS Accession Nos.: LTR: ML19212A139

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FRN PDTS: ML19212A136

FRN CFH: ML19212A137

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