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Docket Number 50-346

License Number NPF-3

Serial Number 2317

August 23, 1995

United States Nuclear Regulatory Commission
Document Control Desk
Washington, D. C. 20555

Attention: Chief, Rules Review and Directives Branch

Subject: Comments on Proposed Generic Communication, Generic Letter 89-10,
Supplement 7, Valve Mispositioning in Pressurized Water Reactors
(60FR38378, July 26, 1995)

Gentlemen:

Toledo Edison (TE), a subsidiary of Centerior Energy, is partial owner of and is responsible for operation of the Davis-Besse Nuclear Power Station (DBNPS). Toledo Edison has been authorized for power operation of the DBNPS since April 1977. As a 10 CFR Part 50 licensee, TE has a vested interest in any policies the Nuclear Regulatory Commission (NRC) may adopt which can affect the management and operation of a commercial nuclear power plant. Toledo Edison has reviewed the subject Federal Register notice and submits the following comments for consideration.

Toledo Edison supports the revised NRC Staff position in the proposed Generic Letter (GL) 89-10 supplement. However, relaxing the staff position at this time, i.e., near the conclusion of the test programs developed as a result of GL 89-10, does present licensees with a minor administrative issue.

Many affected licensees presently have docketed commitments or statements made by the NRC in docketed correspondence explicitly stating or implying that "valve mispositioning" was considered in the development of their Motor Operated Valve (MOV) test program. These licensees may choose to take advantage of the relaxed staff position in GL 89-10, Supplement 7. Although the proposed GL supplement does not

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Operating Companies:
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require any response, it is our interpretation that any licensee wishing to take advantage of the relaxation in the staff position would have to docket a letter to the NRC stating such in order to avoid any future misunderstandings pertaining to a licensee's commitments on this subject.

To avoid this situation, TE suggests that the GL supplement, if issued, provide a mechanism by which licensees can take advantage of the position promulgated in the GL supplement. One of the following options should be considered.

1. Provide a statement in the GL supplement allowing licensees to take advantage of the staff position without notifying the NRC, or
2. Provide a statement in the GL supplement stating that licensees who wish to take advantage of the staff position must provide a response to the GL supplement stating their intentions.

Should you have any questions or require additional information, please contact Mr. William T. O'Connor, Manager - Regulatory Affairs, at (419) 249-2366.

Very truly yours,



NKP/eld

cc: L. L. Gundrum, NRC Project Manager
H. J. Miller, Regional Administrator, NRC Region III
S. Stasek, DB-1 NRC Senior Resident Inspector
Utility Radiological Safety Board