

UNITED STATES NUCLEAR REGULATORY COMMISSIONTOLEDO EDISON COMPANYANDTHE CLEVELAND ELECTRIC ILLUMINATING COMPANYDAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1DOCKET NO. 50-346NOTICE OF DENIAL OF AMENDMENT TO FACILITY OPERATING  
LICENSE AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) has denied, in part, a request by the Toledo Edison Company for an amendment to Facility Operating License No. NPF-3, issued to Toledo Edison Company and The Cleveland Electric Illuminating Company (the licensees), for operation of the Davis-Besse Nuclear Power Station, Unit No. 1, located in Ottawa County, Ohio. Notice of consideration of issuance of this amendment was published in the FEDERAL REGISTER on July 2, 1986 (51 FR 24265).

The proposed amendment, in part, would delete the requirement specified in Technical Specification 6.5.1.6.e concerning Station Review Board responsibility to investigate and report Technical Specification (TS) violations. The Commission has determined that this TS provides assurance that the results of investigations of TS violations are brought to the attention of responsible corporate management and, therefore, should not be deleted.

All other provisions of the amendment request have been approved by Amendment No. 109 dated March 9, 1988. Notice of Issuance of Amendment No. 109 will be published in the Commission's biweekly FEDERAL REGISTER notice.

Toledo Edison Company was notified of the Commission's denial of the proposed TS change by letter dated March 9, 1988.

By APR 15 1988, the licensees may demand a hearing with respect to the denial described above and any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., by the above date.

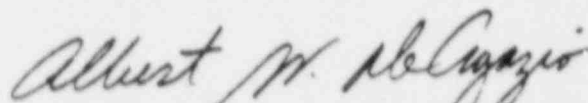
A copy of any petitions should also be sent to the Office of the General Counsel/Rockville, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Gerald Charnoff, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street, N.W., Washington, D.C. 20037, attorney for the licensees.

For further details with respect to this action, see (1) the application for amendment dated January 22, 1986, as clarified August 25 and December 28, 1987, and January 15 and February 17, 1988, (2) the Commission's letter to Toledo Edison Company dated March 9, 1988, and (3) the Commission's Safety Evaluation issued with Amendment No. 109 to NPF-3 dated March 9, 1988, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the University of Toledo Library, Documents Department, 2801 Bancroft Avenue, Toledo, Ohio. A copy of items (2)

(2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Projects - III, IV, V and Special Projects.

Dated at Rockville, Maryland, this 9th day of March , 1988.

FOR THE NUCLEAR REGULATORY COMMISSION



Albert W. De Agazio, Project Manager  
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