



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001  
August 21, 2009

Mr. Mark Bezilla  
Site Vice President  
FirstEnergy Nuclear Operating Company  
Perry Nuclear Power Plant  
10 Center Road, A-290  
Perry, Ohio 44081

SUBJECT: RELAXING OF SCHEDULE FOR IMPLEMENTING REQUIREMENTS OF  
ORDER FOR IMPLEMENTATION OF ADDITIONAL SECURITY MEASURES  
AND FINGERPRINTING FOR UNESCORTED ACCESS FOR THE PERRY  
NUCLEAR POWER PLANT INDEPENDENT SPENT FUEL STORAGE  
INSTALLATION

Dear Mr. Bezilla:

On April 7, 2009, the U.S. Nuclear Regulatory Commission (NRC) issued an Order (EA-09-073) to FirstEnergy Nuclear Operating Company (FENOC) to require compliance with additional security measures (ASMs) related to Physical Protection and Access Authorization and Fingerprinting for the future independent spent fuel storage installation (ISFSI) at Perry Nuclear Power Plant. On April 24, 2009, FENOC submitted its written response to the Order.

In the April 24, 2009, response, FENOC stated that initial storage in the ISFSI would not be completed until fourth quarter 2010, and requested a relaxation of the ASM implementation schedule, as required by Section III.A of the Order. If the storage schedule is delayed, FENOC must provide the NRC with an updated schedule regarding ISFSI completion and proposed initial spent fuel loading.

Based on our review, the NRC staff finds FENOC's response to the Order acceptable. I find that you have demonstrated good cause for relaxation of the Order, and your request for relaxation of the ASM implementation schedule, as required in Section III.A of the Order is therefore granted. However, implementation of the security measures required by the Order shall be completed "90 days before the first day that spent fuel is initially placed in the ISFSI." This schedule must account for an on-site visit by the NRC staff at the Perry Nuclear Power Plant to verify compliance with the Order and implementation of the ASMs. As stated in the Order, FENOC is required to notify the NRC when full compliance is achieved.

If you have any questions about this letter, please contact Raynard Wharton of my staff at 301-492-3316.

Sincerely,

A handwritten signature in cursive script that reads "Catherine Haney".

Catherine Haney, Acting Director  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 72-69  
cc: Distribution via Listserv

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Site Vice President  
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Perry, Ohio 44081

**SUBJECT: RELAXING OF SCHEDULE FOR IMPLEMENTING REQUIREMENTS OF ORDER FOR IMPLEMENTATION OF ADDITIONAL SECURITY MEASURES AND FINGERPRINTING FOR UNESCORTED ACCESS FOR THE PERRY NUCLEAR POWER PLANT INDEPENDENT SPENT FUEL STORAGE INSTALLATION**

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*/ra/*  
Catherine Haney, Acting Director  
Office of Nuclear Material Safety  
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