



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

September 25, 2017

Mr. Samuel L. Belcher  
Senior Vice President and Chief Nuclear Officer  
FirstEnergy Nuclear Operating Company  
341 White Pine Drive  
Akron, OH 44320

**SUBJECT: FENOC FLEET-BEAVER VALLEY POWER STATION, UNIT NOS. 1 AND 2;  
DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1; AND PERRY  
NUCLEAR POWER PLANT, UNIT NO. 1 – RESULTS OF ACCEPTANCE  
REVIEW RE: PROPOSED ALTERNATIVE FOR THE USE OF ASME CODE  
CASE N-513-4 (CAC NOS. MG0120, MG0121, MG0122, AND MG0123)**

Dear Mr. Belcher:

By letter dated August 11, 2017, FirstEnergy Nuclear Operating Company (FENOC, the licensee) (Agencywide Documents Accession Management System (ADAMS) Accession No. ML17227A324) submitted a request for the Proposed Alternative, to Utilize Code Case N-513-4, "Evaluation Criteria for Temporary Acceptance of Flaws in Moderate Energy Class 2 or 3 Piping Section XI, Division 1," for Beaver Valley Power Station, Unit Nos. 1 and 2; Davis-Besse Nuclear Power Station, Unit No. 1; and Perry Nuclear Power Plant, Unit No. 1.

Specifically, FENOC requested approval to use American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code) Case N-513-4," with limits on leakage for the evaluation and temporary acceptance of flaws in moderate energy ASME Code Class 2 and Class 3 piping in lieu of the ASME Code, Section XI, requirements in sub-articles IWC-3120 and IWC-3130 for ASME Code Class 2 components, and paragraph IWD-3120(b) and article IWD-3400 for ASME Code Class 3 components.

The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this relief request. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 50.55a(z), the applicant shall demonstrate that the proposed alternatives would provide an acceptable level of quality and safety, or that compliance with the specified requirements of Section 50.55a would result in hardship or unusual difficulty without a compensating increase in the level of quality or safety.

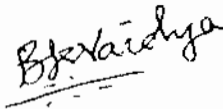
The NRC staff has reviewed your application and concluded that it does provide technical information in sufficient detail to enable the NRC staff to complete its detailed technical review and make an independent assessment regarding the acceptability of the proposed amendment in terms of regulatory requirements and the protection of public health and safety and the environment. Given the lesser scope and depth of the acceptance review as compared to the detailed technical review, there may be instances in which issues that impact the staff's ability to complete the detailed technical review are identified despite completion of an adequate acceptance review. You will be advised of any further information needed to support the NRC staffs detailed technical review by separate correspondence.

Based on the information provided in your submittal, the NRC staff has estimated that this licensing request will take approximately 240 hours to complete. The NRC staff expects to complete this review by the requested date of August 31, 2018, or earlier, if possible. If there are emergent complexities or challenges in our review that would cause changes to the initial forecasted completion date or significant changes in the forecasted hours, the reasons for the changes, along with the new estimates will be communicated, during the routine interactions with the assigned project manager.

These estimates are based on the NRC staff's initial review of the application and they could change due to several factors including requests for additional information, unanticipated addition of scope to the review, and review by NRC advisory committees or hearing-related activities. Additional delay may occur if the submittal is provided to the NRC in advance or in parallel with industry program initiatives or pilot applications.

If you have any questions, please contact me at (301) 415-3308.

Sincerely,



Bhalchandra Vaidya, Project Manager  
Plant Licensing Branch III  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-334, 50-346, 50-412, and 50-440

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 DATED SEPTEMBER 25, 2017

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**ADAMS Accession: ML17264A625**

**(\*) By the email from R. Davis**

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