

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

FIRSTENERGY NUCLEAR OPERATING COMPANY

FIRSTENERGY NUCLEAR GENERATION CORP.

DOCKET NO. 50-334

BEAVER VALLEY POWER STATION, UNIT NO. 1

FACILITY OPERATING LICENSE

Amendment No.
License No. DPR-66

1. The Nuclear Regulatory Commission (the Commission) having found that:
 - A. The application for license filed by FirstEnergy Nuclear Operating Company (FENOC)* acting on its own behalf and as agent for FirstEnergy Nuclear Generation Corp. (the licensees) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter 1, and all required notifications to other agencies or bodies have been duly made;
 - B. Construction of the Beaver Valley Power Station, Unit No. 1 (facility), has been substantially completed in conformity with Construction Permit No. CPPR-75 and the application, as amended, the provisions of the Act and the rules and regulations of the Commission;
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
 - D. There is reasonable assurance: (i) that the activities authorized by this amended operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
 - E. FENOC is technically qualified and the licensees are financially qualified to engage in the activities authorized by this amended operating license in accordance with the rules and regulations of the Commission;
 - F. The licensees have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;

*FENOC is authorized to act as agent for FirstEnergy Nuclear Generation Corp., and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.

- G. The issuance of this amended operating license will not be inimical to the common defense and security or to the health and safety of the public;
 - H. After weighing the environmental, economic, technical and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of Amendment No. 4 to Facility Operating License No. DPR-66 is in accordance with 10 CFR Part 51 (formerly Appendix D of 10 CFR Part 50) of the Commission's regulations and all applicable requirements have been satisfied; and
 - I. The receipt, possession, and use of source, by-product, and special nuclear material as authorized by this amended license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70, including 10 CFR Sections 30.33, 40.32, 70.23, and 70.31.
2. Facility Operating License No. DPR-66 issued to FENOC and FirstEnergy Nuclear Generation Corp. is hereby amended in its entirety to read as follows:
- A. This amended license applies to the Beaver Valley Power Station, Unit No. 1, a pressurized water nuclear reactor and associated equipment (the facility), owned by FirstEnergy Nuclear Generation Corp., and operated by FENOC. The facility is located in Beaver County, Pennsylvania, on the southern shore of the Ohio River, and is described in the "Final Safety Analysis Report" as supplemented and amended (Amendments 1 through 21) and the Environmental Report as amended (Supplements 1 through 6).
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:
 - (1) FENOC, pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility, and FirstEnergy Nuclear Generation Corp. to possess the facility at the designated location in Beaver County, Pennsylvania in accordance with the procedures and limitations set forth in this amended license;
 - (2) FENOC, pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended;

APPENDIX C

ADDITIONAL CONDITIONS
OPERATING LICENSE NO. DPR-66

FirstEnergy Nuclear Operating Company and FirstEnergy Nuclear Generation Corp. shall comply with the following conditions on the schedules noted below:

Amendment Number	Additional Condition	Implementation Date
202	The licensee is authorized to relocate certain Technical Specification requirements to licensee-controlled documents. Implementation of this amendment shall include the relocation of these technical specification requirements to the appropriate documents, as described in the licensee's application dated September 9, 1996, and evaluated in the staff's safety evaluation attached to this amendment.	The amendment shall be implemented within 60 days from April 14, 1997
208	The licensee commits to perform the post weld heat treatment of sleeve welds and the NRC-recommended inspections for repaired tubes as described in the licensee's application dated March 10, 1997, as supplemented July 28 and September 17, 1997, and evaluated in the staff's safety evaluation attached to this amendment.	The amendment shall be implemented within 60 days from November 25, 1997
209	The licensee is authorized to relocate certain Technical Specification requirements to licensee-controlled documents. Implementation of this amendment shall include the relocation of these technical specification requirements to the appropriate documents, as described in the licensee's application dated March 14, 1997, as supplemented July 29 and August 13, 1997, and evaluated in the staff's safety evaluation attached to this amendment.	The amendment shall be implemented within 60 days from December 10, 1997
210	The licensee is authorized to relocate certain Technical Specification requirements to licensee-controlled documents. Implementation of this amendment shall include the relocation of these technical specification requirements to the appropriate documents, as described in the licensee's application dated September 11, 1997, and evaluated in the staff's safety evaluation attached to this amendment.	The amendment shall be implemented within 30 days from January 20, 1998

APPENDIX C

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OPERATING LICENSE NO. DPR-66

FirstEnergy Nuclear Operating Company and FirstEnergy Nuclear Generation Corp. shall comply with the following conditions on the schedules noted below:

Amendment Number	Additional Condition	Implementation Date
225	<p>The licensee is authorized to relocate certain Technical Specification requirements to licensee-controlled documents. Implementation of this amendment shall include the relocation of these Technical Specification requirements to the appropriate documents as described in the licensee's application dated December 24, 1998, as supplemented June 15, June 17, and July 7, 1999, and evaluated in the staff's safety evaluation attached to this amendment.</p> <p>On the closing date(s) of the transfers to FENGenCo of their interests in Beaver Valley Power Station, Unit No. 1, Pennsylvania Power Company and Ohio Edison Company shall transfer to FENGenCo all of each transferor's respective accumulated decommissioning funds for Beaver Valley Power Station, Unit No. 1, and tender to FENGenCo additional amounts equal to remaining funds expected to be collected in 2005, as represented in the application dated June 1, 2005, but not yet collected by the time of closing. All of the funds shall be deposited in a separate external trust fund for the reactor in the same amount as received with respect to the unit to be segregated from other assets of FENGenCo and outside its administrative control, as required by NRC regulations, and FENGenCo shall take all necessary steps to ensure that this external trust fund is maintained in accordance with the requirements of the order approving the transfer of the license and consistent with the safety evaluation supporting the order and in accordance with the requirements of 10 CFR Section 50.75, "Reporting and recordkeeping for decommissioning planning."</p>	<p>The amendment shall be implemented within 60 days from August 30, 1999</p> <p>The amendment shall be implemented within 30 days from</p>

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FirstEnergy Nuclear Operating Company and FirstEnergy Nuclear Generation Corp. shall comply with the following conditions on the schedules noted below:

Amendment Number	Additional Condition	Implementation Date
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	<p>By the date of closing of the transfer of the ownership interests in Beaver Valley Power Station, Unit No. 1 from Pennsylvania Power Company to FENGenCo, FENGenCo shall obtain a parent company guarantee from FirstEnergy in an initial amount of at least \$80 million (in 2005 dollars) to provide additional decommissioning funding assurance regarding such ownership interests. Required funding levels shall be recalculated annually and, as necessary, FENGenCo shall either obtain appropriate adjustments to the parent company guarantee or otherwise provide any additional decommissioning funding assurance necessary for FENGenCo to meet NRC requirements under 10 CFR 50.75.</p>	
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	<p>The Support Agreements described in the applications dated May 18, 2005 (up to \$80 million), and June 1, 2005 (up to \$400 million), shall be effective consistent with the representations contained in the applications. FENGenCo shall take no action to cause FirstEnergy, or its successors and assigns, to void, cancel, or modify the Support Agreements without the prior written consent of the NRC staff, except, however, the \$80 million Support Agreement in connection with the transfer of the Pennsylvania Power Company interests may be revoked or rescinded if and when the \$400 million support agreement described in the June 1, 2005, application becomes effective. FENGenCo shall inform the Director of the Office of Nuclear Reactor Regulation, in writing, no later than ten days after any funds are provided to FENGenCo by FirstEnergy under either Support Agreement.</p>	
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