



FirstEnergy Nuclear Operating Company

5501 North State Route 2
Oak Harbor, Ohio 43449

Mark B. Bezilla
Vice President - Nuclear

419-321-7676
Fax: 419-321-7582

Docket Number 50-346

10 CFR 50.90

License Number NPF-3

Serial Number 3226

February 9, 2006

U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555-0001

Subject: Davis-Besse Nuclear Power Station
Fifth Supplemental Letter Regarding License Amendment Application to
Support Mark B-HTP Fuel Design for Cycle 15
(License Amendment Request (LAR) 05-0002; TAC No. MC6888)

Ladies and Gentlemen:

By letter dated May 2, 2005 (Serial Number 3131), as supplemented on August 28, 2005 (Serial Number 3166), September 15, 2005 (Serial Number 3183), January 12, 2006 (Serial Number 3213) and January 13, 2006 (Serial Number 3214), the FirstEnergy Nuclear Operating Company (FENOC) submitted License Amendment Request (LAR) 05-0002, an application for amendment of the Operating License, Appendix A, Technical Specifications (TS) for the Davis-Besse Nuclear Power Station (DBNPS). The proposed amendment would revise TS Section 2.1.1, "Safety Limits - Reactor Core," and TS Section 2.2.1, "Limiting Safety System Settings - Reactor Protection System Setpoints" to support use of the Framatome Mark B-HTP Fuel design for Cycle 15, which is scheduled to begin following refueling in March 2006. This letter provides a fifth supplement to the license amendment application, in response to the NRC's January 19, 2005 informal request for clarification of proposed licensing basis changes associated with FENOC Serial Number 3213.

FENOC will revise the Technical Specification Bases to add the following definition of the pre-defined as-found acceptance criteria band for Reactor Protection System Functional Unit 7: "The pre-defined as-found acceptance criteria band is determined by adding or subtracting (as applicable) credible uncertainties to the as-left value from the most recently completed surveillance test. Credible uncertainties include instrument uncertainties during normal operation including drift and measurement and test equipment uncertainties. In no case shall the pre-defined as-found acceptance criteria band overlap the Allowable Value. If one end of the pre-defined as-found acceptance criteria band

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is truncated due to its proximity to the Allowable Value, this does not affect the other end of the pre-defined as-found acceptance criteria band. If equipment is replaced, such that the previous as-left value is not applicable to the current configuration, the as-found acceptance criteria band is not applicable to calibration activities performed immediately following the equipment replacement.”

A list of regulatory commitments made in this letter is included in Enclosure 1.

If there are any questions or if additional information is required, please contact Mr. Gregory A. Dunn, Manager – FENOC Fleet Licensing, at (330) 315-7243.

The statements contained in this submittal, including its associated enclosures are true and correct to the best of my knowledge and belief. I am authorized by the FirstEnergy Nuclear Operating Company to make this submittal. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 2-09-06

By: 
for Mark B. Bezilla, Vice President-Nuclear

MSH

Enclosure

cc: Regional Administrator, NRC Region III
Executive Director, Ohio Emergency Management Agency,
State of Ohio (NRC Liaison)
DB-1 NRC/NRR Project Manager
DB-1 NRC Senior Resident Inspector
Utility Radiological Safety Board

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Enclosure 1
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COMMITMENT LIST

The following list identifies those actions committed to by the Davis-Besse Nuclear Power Station, Unit Number 1, (DBNPS) in this document. Any other actions discussed in the submittal represent intended or planned actions by the DBNPS. They are described only for information and are not regulatory commitments. Please notify Gregory A. Dunn, Manager – Fleet Licensing (330-315-7243) of any questions regarding this document or associated regulatory commitments.

<u>COMMITMENTS</u>	<u>DUE DATE</u>
FENOC will revise the Technical Specification Bases to add the following definition of the pre-defined as-found acceptance criteria band for Reactor Protection System Functional Unit 7: “The pre-defined as-found acceptance criteria band is determined by adding or subtracting (as applicable) credible uncertainties to the as-left value from the most recently completed surveillance test. Credible uncertainties include instrument uncertainties during normal operation including drift and measurement and test equipment uncertainties. In no case shall the pre-defined as-found acceptance criteria band overlap the Allowable Value. If one end of the pre-defined as-found acceptance criteria band is truncated due to its proximity to the Allowable Value, this does not affect the other end of the pre-defined as-found acceptance criteria band. If equipment is replaced, such that the previous as-left value is not applicable to the current configuration, the as-found acceptance criteria band is not applicable to calibration activities performed immediately following the equipment replacement.”	Concurrent with implementation of License Amendment Request (LAR) 05-0002