

August 16, 2007

EA-06-152

Mr. Peter P. Sena III
Site Vice President
FirstEnergy Nuclear Operating Company
Beaver Valley Power Station
PO Box 4
Shippingport, PA 15077

SUBJECT: COMPLETION OF ACTIONS BY FIRSTENERGY NUCLEAR OPERATING COMPANY (FENOC), AS SET FORTH IN LETTER DATED JULY 17, 2007, IN RESPONSE TO NRC CONFIRMATORY ORDER, EA-06-152, DATED DECEMBER 19, 2006

Dear Mr. Sena:

The purpose of this letter is to acknowledge receipt of your letter dated July 17, 2007 (ADAMS Accession Number - ML072190511), which describes the actions you have completed in response to Confirmatory Order, EA-06-152, issued to you by the U.S. Nuclear Regulatory Commission (NRC) on December 19, 2006 (ADAMS Accession Number - ML0635304600). The Confirmatory Order documented commitments that you made in a settlement agreement reached during an Alternate Dispute Resolution (ADR) mediation session on September 26, 2006. The ADR session was held concerning a violation involving the failure to adhere to FENOC procedures implementing design control measures of 10 CFR 50 Appendix B, Criterion III, related to the Replacement Reactor Vessel Closure Head Engineering Change Package.

To ensure that similar violations would not occur, the NRC Confirmatory Order required that:

1. FENOC submit an operating experience report to the rest of the industry, via the Institute of Nuclear Power Operations (INPO), conveying the lessons learned from the occurrence detailed in Section I of this Order.
2. FENOC, using a case-study format, provide lessons learned training to engineers at all FENOC nuclear facilities.
3. FENOC modify NOP-CC-2003 to further clarify the intent of the responsible engineer's signature.
4. FENOC complete the actions in Items IV.1 - IV.3 by June 30, 2007, and send a letter to the NRC informing the NRC that these actions are complete. FENOC agreed to send this letter to the NRC within 30 days of completion of all actions.

As detailed in your July 17, 2007 letter and verified by the results of an inspection conducted on July 30, 2007, the results of which will be documented in NRC Inspection Report 05000334/05000412-2007004, the NRC determined that:

1. FENOC submitted an operating experience report on March 29, 2007, to the industry, via the INPO Operating Experience System, conveying the lessons learned.
2. FENOC developed and provided lessons learned training, in a case-study format, to engineers at all FENOC nuclear facilities. Training was completed on June 19, 2007, except for three engineers due to extended absence. The engineers will receive the lessons learned training prior to assuming engineering duties. This action is documented in the FENOC corrective action program (CR 06-1171-CA-5).
3. FENOC modified the engineering change procedure (NOP-CC-2003) to clarify the intent of the responsible engineer's signature.
4. The above actions were completed by June 30, 2007, and your July 17, 2007 letter notified the NRC of the completion of your actions in a timely manner.

Based on the above, we have concluded that you have satisfied the terms of the Order, and the NRC has no further questions. Confirmatory Order EA-06-152 is now closed.

A copy of this letter, and your July 17, 2007 letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions or comments, please contact Dr. Ronald Bellamy, Chief, Projects Branch 6, Division of Reactor Projects, NRC Region I, at 610-337-5200.

Sincerely,

/RA/

Samuel J. Collins
Regional Administrator

Docket Nos. 50-334, 50-412
License Nos. DPR-66, NPF-73

cc w/encl:

J. Hagan, President and Chief Nuclear Officer
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W. Hill, Beaver County Emergency Management Agency
J. Johnsrud, National Energy Committee, Sierra Club

As detailed in your July 17, 2007 letter and verified by the results of the inspection conducted on July 30, 2007, the NRC determined that:

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Sincerely,

/RA/

Samuel J. Collins
Regional Administrator

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