



*Davis-Besse Nuclear Power Station
5501 N. State Route 2
Oak Harbor, Ohio 43449*

Terry J. Brown
Site Vice President, Davis-Besse Nuclear

419-321-7676

December 15, 2021

L-21-285

Ms. Laura L. Kozak, acting Branch Chief
United States Nuclear Regulatory Commission
Region III
2443 Warrenville Road, Suite 210
Lisle, IL 60532-4352

Subject: Davis-Besse Nuclear Power Station, Unit 1
Docket Number 50-346, License Number NPF-3
Response to NRC Inspection Report 05000346/2021090, EA-21-155

The purpose of this letter is to confirm the position the Energy Harbor Nuclear Corporation (Energy Harbor) is taking in response to Nuclear Regulatory Commission (NRC) Inspection Report 05000346/2021090 dated December 9, 2021. I verbally notified you on December 15, 2021, that Energy Harbor is not requesting a regulatory conference on this matter regarding the Emergency Diesel Generator Speed Switch and will not be submitting a written response. Energy Harbor understands that by declining to submit a written response or to arrange a regulatory conference, the preliminary assessment of significance will become final, and that we relinquish our right to appeal the NRC's final significance determination of the issue.

There are no regulatory commitments contained in this letter. If there are any questions or if additional information is required, please contact Mr. Robert W. Oesterle, Manager, Site Regulatory Compliance and Emergency Response, at (419) 321-7462.

Sincerely,

A handwritten signature in black ink, appearing to read "TJB", with a stylized flourish extending from the end.

Terry J. Brown

GMW

cc: NRC Document Control Desk
NRC Region III Administrator
NRC Resident Inspector
NRR Project Manager
Utility Radiological Safety Board