

October 16, 2001

Mr. Michael P. Gallagher  
Director - Licensing  
Exelon Generation Company, LLC  
Nuclear Group Headquarters  
Correspondence Control  
P.O. Box 160  
Kennett Square, PA 19348

SUBJECT: AMENDED AND RESTATED NUCLEAR DECOMMISSIONING MASTER TRUST AGREEMENT FOR THREE MILE ISLAND NUCLEAR STATION, UNIT 1 (TMI-1), OYSTER CREEK NUCLEAR GENERATING STATION (OYSTER CREEK), AND CLINTON POWER STATION (CLINTON) - (TAC NOS. MB2309, MB2314, AND MB2848)

Dear Mr. Gallagher:

I am responding to your June 25, 2001, letter that requested the U.S. Nuclear Regulatory Commission's (NRC's) prior written consent to amendments to the nuclear decommissioning trust agreements for the three nuclear generating plants of AmerGen Energy Company, LLC (AmerGen), TMI-1, Oyster Creek, and Clinton. The NRC staff has completed its review of your request.

You stated that the subject amended and restated decommissioning master trust agreement attached to your June 25, 2001, letter is to replace AmerGen's former trust agreements upon the NRC providing its written consent. You stated that the subject agreement complies with all applicable NRC license conditions and that the substantive provisions of this agreement are substantially the same, in all material respects, as the existing multiple trust agreements for AmerGen's nuclear generating plants.

The NRC staff has concluded that the subject agreement incorporates all applicable license conditions, is consistent with providing reasonable assurance of decommissioning funding and complies with the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.75. Therefore, the NRC has no objection to the subject agreement and consents to its use in place of former nuclear decommissioning trust agreements for AmerGen's nuclear generating plants.

Sincerely,

**/RA by L B Marsh for/**

John A. Zwolinski, Director  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-219, 50-289, and 50-461

cc: See next page

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 Office of Nuclear Reactor Regulation

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