

September 20, 2002

Mr. John L. Skolds, President
Exelon Nuclear
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: BYRON UNITS 1 AND 2, AND BRAIDWOOD UNITS 1 AND 2 - WITHDRAWAL OF REQUEST FOR EXEMPTION FROM 10 CFR 50.60, "ACCEPTANCE CRITERIA FOR FRACTURE PREVENTION MEASURES FOR LIGHT-WATER NUCLEAR POWER REACTORS FOR NORMAL OPERATION" (TAC NOS. MB0755, MB0756, MB0757, AND MB0758)

Dear Mr. Skolds:

The purpose of this letter is confirm that Exelon Company, LLC (Exelon) has withdrawn the subject submittal from further consideration by the NRC staff.

By letter dated December 8, 2000, Commonwealth Edison Company (ComEd) the licensee for Byron Station, Units 1 and 2 (Byron) and Braidwood Station, Units 1 and 2 (Braidwood), submitted a request for exemptions from the requirements in Title 10 of the Code of Federal Regulations (10 CFR), Section 50.60 and 10 CFR Part 50, Appendix G. The exemption requests were submitted pursuant to the requirements found in 10 CFR 50.12. Subsequent to the date of the original request, ComEd was merged into Exelon. By letter dated February 7, 2001, Exelon informed the NRC that it assumed responsibility for all pending actions that were requested by ComEd.

The exemption request in the December 8, 2000, submittal, addressed requirements in 10 CFR Part 50, Appendix G which relate to minimum temperature requirements for the region of the reactor pressure vessel (RPV) closure flange which is highly stressed by the bolt preload. These closure flange minimum temperature requirements are imposed as part of the development of RPV pressure-temperature (P-T) limits for heatup, cooldown, core critical operation, and hydrostatic/leak rate testing. In the exemptions, Exelon requested that they be allowed to impose requirements less conservative than those given in 10 CFR Part 50, Appendix G for the Byron and Braidwood RPV closure flange materials. This request was based on a technical basis defined in WCAP-15315, Revision 0, "Reactor Vessel Closure Head/Vessel Flange Requirements Evaluation for Operating PWR and BWR Plants," which was submitted as an attachment to Exelon's exemption request.

The NRC staff has identified deficiencies in WCAP-15315, Revision 0, and concluded that information related to the methodology, assumptions, and conclusions in the WCAP is not sufficient to support the exemption request. The NRC staff has also concluded that significant modification to WCAP-15315, Revision 0, would be required in order for it to represent an adequate technical basis.

The NRC staff however, is aware that significant interest exists within the nuclear industry regarding the promulgation of changes to the RPV closure flange minimum temperature requirements imposed by 10 CFR Part 50, Appendix G through plant-specific exemptions, through action to change the rule, or both. The NRC staff is currently evaluating 10 CFR Part 50, Appendix G, to determine what changes may be warranted. In a public meeting of the American Society of Mechanical Engineers on September 10, 2002, the NRC staff provided guidance for those who wish to pursue exemptions to the existing 10 CFR Part 50, Appendix G requirements while the NRC staff is in the process of evaluating potential changes to the rule. Exelon was represented at the meeting. Although WCAP-15315 is significantly deficient, the NRC staff guidance was based on the premise that it does provide a "framework" which could well to be used to explain the technical considerations which need to be addressed in order to adequately support plant-specific exemptions.

In telephone conversations with a representative of Exelon, the need for a significant amount of information required to revise the December 8, 2000, submittal and the existence of the NRC guidance that was presented to assist the industry in preparing plant-specific exemptions was discussed. Subsequently, Exelon determined that it would withdraw the exemptions and so informed the NRC staff during a telephone conversation on September 16, 2002. Unless we receive information to the contrary within 5 business days of the date of this letter, we will consider the review of the request for exemptions to be withdrawn and close the actions. Review of future plant specific exemption requests will be initiated based on the technical bases submitted at that time.

If you have any questions regarding this letter, please contact me at (301) 415-3019.

Sincerely,

/RA/

George F. Dick, Jr., Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-454, STN 50-455,
STN 50-456 and STN 50-457

cc: See next page

requirements imposed by 10 CFR Part 50, Appendix G through plant-specific exemptions, through action to change the rule, or both. The NRC staff is currently evaluating 10 CFR Part 50, Appendix G, to determine what changes may be warranted. In a public meeting of the American Society of Mechanical Engineers on September 10, 2002, the NRC staff provided guidance for those who wish to pursue exemptions to the existing 10 CFR Part 50, Appendix G requirements while the NRC staff is in the process of evaluating potential changes to the rule. Exelon was represented at the meeting. Although WCAP-15315 is significantly deficient, the NRC staff guidance was based on the premise that it does provide a "framework" which could well to be used to explain the technical considerations which need to be addressed in order to adequately support plant-specific exemptions.

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Docket Nos. STN 50-454, STN 50-455,
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