

April 29, 2003

Mr. Michael P. Gallagher  
Director, Licensing & Regulatory Affairs  
Mid-Atlantic Regional Operating Group  
AmerGen Energy Company, LLC  
200 Exelon Way, Suite 345  
Kennett Square, PA 19348

RE: Reactor Vessel Closure Head Replacement Project  
Letter Dated April 22, 2003

Dear Mr. Gallagher:

AmerGen Energy Company, LLC (AmerGen) is proposing to import via Framatome, ANP, Lynchburg, VA, a reactor vessel closure head and associated equipment fabricated in France for end use at the Three Mile Island (TMI) Unit 1 Nuclear Power station. Under Nuclear Regulatory Commission (NRC) regulations, import of this equipment requires a specific license issued by the NRC. I am writing to advise you the NRC staff concluded, in response to your letter dated April 22, 2003, that pursuant to 10 CFR § 110.10(a), AmerGen is granted an exemption from the specific import license requirement.

As the licensee for TMI Unit 1, AmerGen is authorized to receive and possess the items proposed for export from France for use at their facilities. Import of the reactor vessel closure heads does not raise any public health and safety or common defense and security issues. Accordingly, I have exempted these proposed imports from NRC licensing requirements found in 10 CFR Part 110 after finding pursuant to 10 CFR 110.10(a) that issuance of this exemption is: (1) is authorized by law; (2) is not inimical to the common defense and security; and (3) does not constitute an unreasonable risk to the public health and safety. I also note that the granting of an exemption does not relieve any person from complying with the regulations of other Government agencies applicable to exports or imports under their authority.

If you have any questions, please contact me at 301-415-2344 or Janice Owens at 301-415-3684.

Sincerely,

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Edward T. Baker, Deputy Director  
Office of International Programs

cc: R. DeLaBarre, DOS  
C. Martin, DOS  
A. Scheinman, DOE/NNSA  
R. Goorevich, DOE/NNSA  
S. Davis, DOE/NNSA

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