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Nuclear

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U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555-0001

Braidwood Station, Units 1 and 2
Facility Operating License Nos. NPF-72 and NPF-77
NRC Docket Nos. STN 50-456 and STN 50-457

Byron Station, Units 1 and 2
Facility Operating License Nos. NPF-37 and NPF-66
NRC Docket Nos. STN 50-454 and STN 50-455

Clinton Power Station
Facility Operating License No. NPF-62
NRC Docket No. 50-461

Dresden Nuclear Power Station, Units 2 and 3
Facility Operating License Nos. DPR-19 and DPR-25
NRC Docket Nos. 50-237 and 50-249

LaSalle County Station, Units 1 and 2
Facility Operating License Nos. NPF-11 and NPF-18
NRC Docket Nos. 50-373 and 50-374

Limerick Generating Station, Units 1 and 2
Facility Operating license Nos. NPF-39 and NPF-85
NRC Docket Numbers 50-352 and 50-353

Oyster Creek Generating Station
Facility Operating License Number DPR-16
NRC Docket Number 50-219

Peach Bottom Atomic Power Station, Units 2 and 3
Facility Operating License Nos. DPR-44 and DPR-56
NRC Docket Nos. 50-277 and 50-278

Quad Cities Nuclear Power Station, Units 1 and 2
Facility Operating License Nos. DPR-29 and DPR-30
NRC Docket Nos. 50-254 and 50-265

Three Mile Island Station, Unit 1
Facility Operating License No. DPR-50
NRC Docket No. 50-289

Subject: Summary of Teleconference Regarding Implementation of Revised
Emergency Action Levels

The purpose of this letter is to summarize a teleconference conducted on September 9, 2004, between Messrs. Douglas Pickett and Gregory Casto of the NRC and Mr. Allan Haeger other members of Exelon Generation Company, LLC (EGC). EGC and AmerGen Energy Company, LLC are the licensees for the facilities listed in this letter.

EGC requested the teleconference in order to inform the NRC of its plans to revise its current facility emergency plans to adopt emergency action levels (EALs) in accordance with Nuclear Energy Institute (NEI) document NEI 99-01, Revision 4, "Methodology for Development of Emergency Action Levels," and to confirm its understanding of the guidance in Regulatory Issues Summary (RIS) 2003-18, "Use of NEI 99-01, 'Methodology for Development of Emergency Action Levels,'" regarding the need for prior NRC approval in accordance with 10 CFR 50.54, "Conditions of licenses," paragraph (q).

During the teleconference, EGC stated the following regarding the proposed revision to the EALs.

- EGC's current EALs are based on NEI NESP-007, "Methodology for Development of Emergency Action Levels," with some additional EALs. EGC's revised EALs will be based entirely on NEI 99-01 Revision 4, and the current EALs will be replaced in their entirety.
- RIS 2003-18 states that licensees with EALs based on NESP-007 may adopt EALs based on NEI 99-01, Revision 4 without prior NRC approval, in accordance with 10 CFR 50.54(q).
- EGC will document the basis for concluding that the revised EALs do not represent a decrease in effectiveness by comparing the revised EALs to those in NEI 99-01 Revision 4 only, and not against the current EGC EALs. As such, the documentation will not include the basis for eliminating current EALs that are additions beyond those in NESP-007.

The NRC personnel on the teleconference agreed that EGC's understanding of the above items was consistent with regulatory guidance.

EGC then presented some examples of situations in which the EALs in NEI 99-01, Revision 4 could not be exactly duplicated at some EGC facilities, and described its proposed approach for these situations. In all of these cases EGC will thoroughly document the basis for determining that the proposed EAL did not constitute a decrease in effectiveness compared to the NEI 99-01 Revision 4 EALs. The EGC examples included situations in the following categories.

- EALs in NEI 99-01, Revision 4 sometimes specify thresholds based on several equivalent types of instrumentation, each of which is specific to a reactor type. EGC will adopt the EAL threshold based on the appropriate instrumentation for the reactor type and will not adopt thresholds based on other types of instrumentation. EGC stated that it considered this a "difference" from the NEI 99-01 Revision 4 EALs that did not decrease effectiveness. The NRC personnel on the teleconference agreed with this assessment.
- EALs in 99-01, Revision 4 sometimes specify thresholds based on instrumentation that may not be available for certain facilities, particularly in the shutdown condition. EGC stated that, for these situations, it will attempt to find an equivalent method for monitoring the threshold. If such an equivalent could not be found, this will be considered a "deviation" from the NEI 99-01, Revision 4 EALs. The NRC personnel on the teleconference agreed with this assessment and stated that a deviation from NEI-99-01, Revision 4 did not necessarily constitute a decrease in effectiveness, but that situations like this must be evaluated carefully to assure that the EAL entry conditions can be fully monitored. If the intent of the EAL cannot be met, a potential decrease in effectiveness exists, and NRC approval is required. The NRC stated that it has encouraged other licensees to seek alternate methods of monitoring for entry conditions.
- EALs in NEI 99-01, Revision 4 sometimes specify thresholds that are explicitly stated to be only applicable at certain facilities, such as thresholds that depend on the use of critical safety function status trees. EGC stated that, for these situations, if a threshold were not applicable, then as long as the EAL entry conditions can be monitored adequately, it will not consider this a "difference" or "deviation" from NEI 99-01, Revision 4. The NRC personnel on the teleconference agreed with this assessment.
- EGC provided one example of an EAL (EAL CS2) in which the NEI 99-01, Revision 4 basis description appears to imply the need for additional time-based information in the EAL threshold. EGC stated that it will evaluate this and any similar situations to determine if the basis information should be placed in the EAL. EGC does not expect that the decision of whether or not to amend the EAL will result in a "deviation" or a decrease in effectiveness. The NRC did not disagree with this assessment.

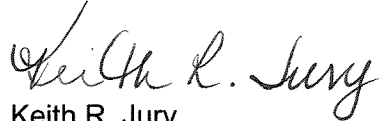
The NRC encouraged EGC to verify that its current EAL scheme is consistent with NESP-007. This ensures that the adoption of the NEI 99-01, Revision 4 EALs does not constitute a change in the EAL scheme, as discussed in RIS 2003-18.

EGC stated that it will document the results of the teleconference in writing. The NRC stated that it would review the EGC summary and respond in writing.

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If you have any questions concerning this letter, please contact Mr. Allan Haeger at
(630) 657-2807.

Respectfully,

A handwritten signature in cursive script that reads "Keith R. Jury".

Keith R. Jury
Director – Licensing and Regulatory Affairs
Exelon Generation Company, LLC
AmerGen Energy Company, LLC