

August 26, 2005

Ms. Marilyn Kray  
Vice President, Project Development  
Exelon Generation  
200 Exelon Way, KSA3-N  
Kennett Square, PA 19348

SUBJECT: SUPPLEMENTAL DRAFT SAFETY EVALUATION REPORT FOR THE EXELON  
EARLY SITE PERMIT APPLICATION

Dear Ms. Kray:

On September 25, 2003, Exelon Generation Company, LLC (Exelon) tendered its application for an early site permit (ESP) in accordance with Subpart A of Part 52 of Title 10 of the *Code of Federal Regulations* (10 CFR). The proposed site is co-located with the existing Clinton Power Station facility near Clinton, Illinois, hereafter identified as the Exelon Generation Company (EGC) ESP site. The U.S. Nuclear Regulatory Commission (NRC) formally accepted the application as a docketed application for an ESP on October 27, 2003.

The NRC staff issued its draft safety evaluation report (DSER) on February 10, 2005. The DSER did not include the staff's technical evaluation of seismology and geology because the Exelon ESP application included a previously unreviewed performance-based methodology for determining the safe shutdown earthquake (SSE) for the Exelon ESP site. The NRC staff has reviewed the information in Section 2.5, "Geology, Seismology, and Geotechnical Engineering," and Section 3.4.2, "10 CFR 100.23—Geologic and Seismic Siting Criteria," of Exelon's site safety analysis report (SSAR) and has developed the enclosed supplemental DSER.

The supplemental DSER is being issued in accordance with the review schedule identified in the staff's letter to Exelon dated August 16, 2005. The supplemental DSER provides information to stakeholders regarding the state of completion of the staff's review of seismology and geology and the remaining information needed for issuance of the final safety evaluation report (FSER). Because the supplemental DSER contains open items (subjects for which Exelon needs to provide additional information), the NRC staff has not made a decision regarding whether to recommend to the Commission that an ESP be issued for the EGC ESP site.

Issuance of this supplemental DSER is an important milestone in the staff's review to determine whether Exelon's application meets the Commission's regulations. In the period preceding preparation of the FSER, both Exelon and the NRC staff will need to focus on resolution of the open items identified in the supplemental DSER. The August 16, 2005, letter specifies February 17, 2005, as the estimated date for issuance of the FSER. However, this date is contingent on Exelon's successful resolution of all open items in the supplemental DSER by October 31, 2005, and Exelon's issuance of the final revision to the Exelon ESP application by November 21, 2005.

M. Kray

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It is imperative that Exelon and the NRC staff exchange complete, timely, and accurate information if all open items are to be resolved expeditiously. The staff requests Exelon's cooperation in setting up meetings, responding fully to the staff's needs for information, and docketing the needed information in a timely manner. Exelon should ensure that its meeting attendees have the authority to make commitments to resolve issues. Senior management meetings may be used to address difficult issues, if necessary.

By letter dated December 15, 2004, you requested, on behalf of the State of Illinois and the Illinois Emergency Management Agency, that the state and local emergency plans (in their entirety) be exempt from mandatory public disclosure. By letter dated September 7, 2004, you also requested that the Exelon ESP project quality assurance instructions and project quality plan be exempt from mandatory public disclosure in accordance with the requirements of 10 CFR 2.390. The staff concludes that the enclosed supplemental DSER does not contain any information for which exemption has been sought or approved. However, the NRC will withhold the enclosed supplemental DSER from public disclosure for 14 calendar days from the date of this letter to allow Exelon the opportunity to verify, in consultation with the State of Illinois and the Illinois Emergency Management Agency, the staff's conclusions in this regard. If, after that time, you do not request that all or portions of the supplemental DSER be withheld from public disclosure in accordance with 10 CFR 2.390, the enclosure will be made available for public inspection through the NRC's Public Document Room and the Publicly Available Records (PARS) component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Please contact John Segala, the NRC's project manager, at (301) 415-1858 (or [jps1@nrc.gov](mailto:jps1@nrc.gov)) if you have any questions or comments concerning this matter.

Sincerely,

*/RA/*

William D. Beckner, Program Director  
New, Research and Test Reactors Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket No. 52-007

Enclosure: As stated

cc w/o encl: See next page

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William D. Beckner, Program Director  
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Division of Regulatory Improvement Programs  
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ADAMS ACCESSION NUMBER: ML052310459-Package  
ML052310469-Cover letter  
ML052310478-Supplemental DSER

OFFICE	PM:RNRP	D:DE	SC:RNRP	PD:RNRP	OGC	D:DRIP	PD:RNRP /s/
NAME	JSegala	MMayfield	LDudes	WBeckner	AHodgdon	DMatthews	WBeckner
DATE	08/19/05	08/22/05	08/23/05	08/23/05	08/25/05	08/25/05	08/25/05

OFFICIAL RECORD COPY

Distribution of Supplemental DSER for Exelon's ESP Application dated August 26, 2005

Hard Copy w/encl.:

JSegala	RBarrett	MMayfield
RNRP R/F	BBoger	JLyons
WBeckner	LDudes	DMatthews
PPrescott	CMunson	RHarvey
GBagchi	TCheng	TKenyon
KCampe	JLee	RMoody
DBarss	ATardiff	AHodgdon
MLemoncelli		

Hard Copy w/o encl.

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E-mail:

JDyer	RAnand	RDennig
MRubin	EWeiss	SMorris
KManoly	GImbro	DThatcher
NMamish	JShea	MTschiltz
AKugler	FGillespie	KWinsberg
RBorchardt	TQuay	

External E-mail

eddie.grant@exeloncorp.com

jerald.holm@framatome-anp.com

Exelon ESP

cc:

Mr. David Lochbaum  
Union of Concerned Scientists  
1707 H Street, NW  
Suite 600  
Washington, DC 20006-3919

Mr. Paul Gunter  
Director of the Reactor Watchdog Project  
Nuclear Information & Resource Service  
1424 16<sup>th</sup> Street, NW, Suite 404  
Washington, DC 20036

Mr. Adrian Heymer  
Nuclear Energy Institute  
Suite 400  
1776 I Street, NW  
Washington, DC 20006-3708

Mr. Russell Bell  
Nuclear Energy Institute  
Suite 400  
1776 I Street, NW  
Washington, DC 20006-3708

Mr. Thomas P. Miller  
U.S. Department of Energy  
Headquarters - Germantown  
19901 Germantown Road  
Germantown, MD 20874-1290

Mr. James Riccio  
Greenpeace  
702 H Street, NW, Suite 300  
Washington, DC 20001

Mr. Rod Krich  
Vice President, Licensing Projects  
Exelon Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

Ms. Patricia Campbell  
Morgan, Lewis & Bockius, LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004

Mr. Ernie H. Kennedy  
Vice President New Plants  
Nuclear Plant Projects  
Westinghouse Electric Company  
20 International Drive, Bin 31  
Windsor, CT 06095-0500

Dr. Regis A. Matzie  
Senior Vice President and  
Chief Technology Officer  
Westinghouse Electric Company  
2000 Day Hill Road  
Windsor, CT 06095-0500

Mr. Thomas Mundy  
Director, Project Development  
Exelon Generation  
200 Exelon Way, KSA3-N  
Kennett Square, PA 19348

Mr. William Maher  
Exelon Generation  
200 Exelon Way, KSA2-N  
Kennett Square, PA 19348

Ms. Marilyn Kray  
Vice President, Project Development  
Exelon Generation  
200 Exelon Way, KSA3-N  
Kennett Square, PA 19348

Mr. Thomas S. O'Neill  
Associate General Counsel  
Exelon Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

Mr. John Loaniddi  
Parsons Energy and Chemicals  
2675 Morgantown Road  
Reading, PA 19607

Ms. Amy Lientz  
CH2MHILL  
151 N. Ridge Ave. Ste 150  
Idaho Falls, Idaho 83401-4039

Mr. Steven P. Frantz Esq.  
Morgan Lewis and Bockius LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004

Mr. Gary Wright, Director  
Division of Nuclear Safety  
Illinois Emergency Management Agency  
1035 Outer Park Drive  
Springfield, IL 62704

Mr. Paul Leventhal  
Nuclear Control Institute  
1000 Connecticut Avenue, NW  
Suite 410  
Washington, DC 20036

Dr. Jack W. Roe  
Nuclear Energy Institute  
1776 I Street, NW  
Washington, DC 20006-3708

Mr. Tom Clements  
6703 Guide Avenue  
Takoma Park, MD 20912

Mr. Glenn H. Archinoff  
AECL Technologies  
481 North Frederick Avenue  
Suite 405  
Gaithersburg, MD. 20877

Mr. Brendan Hoffman  
Research Associate on Nuclear Energy  
Public Citizens Critical Mass Energy  
and Environmental Program  
215 Pennsylvania Avenue, SE  
Washington, DC 20003

Prairie Group  
Attn: Mr. George Gore  
702 West Washington Street  
Urbana, IL 61801

Mr. Arthur L. Brighton  
RR1, Box 22  
Weldon, IL 61882

Mr. Dale Holtzscher  
RR 1, Box 72A  
Weldon, IL 61882

Mr. John Stolfa  
P.O. Box 589  
Mansfield, IL 61854-0589

Mr. Ed Wallace, General Manager  
Projects  
PBMR Pty LTD  
PO Box 9396  
Centurion 0046  
Republic of South Africa

Ms. Vanessa E. Quinn, Chief  
Radiological Emergency Preparedness  
Section  
Department of Homeland Security/FEMA  
500 C Street, SW  
Washington, DC 20472

Mr. Joseph D. Hegner  
Lead Engineer - Licensing  
Dominion Generation  
Early Site Permitting Project  
5000 Dominion Boulevard  
Glen Allen, VA 23060

Mr. George Alan Zinke  
Project Manager  
Nuclear Business Development  
Entergy Nuclear  
M-ECH-683  
1340 Echelon Parkway  
Jackson, MS 39213

Mr. Charles Brinkman  
Westinghouse Electric Co.  
Washington Operations  
12300 Twinbrook Pkwy., Suite 330  
Rockville, MD 20852

Mr. Marvin Fertel  
Senior Vice President  
and Chief Nuclear Officer  
Nuclear Energy Institute  
Suite 400  
1776 I Street, NW  
Washington, DC 20006-3708

Dr. Glenn R. George  
PA Consulting Group  
130 Potter Street  
Haddonfield, NJ 08033

Mr. Arthur R. Woods  
Enercon Services, Inc.  
500 TownPark Lane  
Kennesaw, GA 30144

Mr. Tom Rudasill  
The Vespasian Warner Public Library  
District  
310 N. Quincy Street  
Clinton, IL 61727

Mr. Jerald S. Holm  
Framatome ANP, Inc.  
3315 Old Forest Road  
P.O. Box 10935  
Lynchburg, VA 24506-0935

Ms. Kathryn Sutton, Esq.  
Morgan, Lewis & Bockius, LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004

Framatome ANP, Inc.  
ATTN Sherry McFaden  
3315 Old Forest Road, OF-16  
Lynchburg, VA 24501

Exelon Nuclear  
Correspondence Control Desk  
200 Exelon Way, KSA1-N  
Kennett Square, PA 19348

Mr. Ron Simard  
Nuclear Energy Institute  
Suite 400  
1776 I Street, NW  
Washington, DC 20006-3708

Mr. James F. Mallay, Director  
Regulatory Affairs  
FRAMATOME, ANP  
3315 Old Forest Road  
Lynchburg, VA 24501

Dr. Gail H. Marcus  
U.S. Department of Energy  
Room 5A-143  
1000 Independence Ave., SW  
Washington, DC 20585

Mr. David Ritter  
Research Associate on Nuclear Energy  
Public Citizens Critical Mass Energy  
and Environmental Program  
215 Pennsylvania Avenue, SE  
Washington, DC 20003

Ms. Ginger Molitor  
U.S. Fish and Wildlife Service  
Rock Island Ecological Services Office  
4469 48<sup>th</sup> Avenue Court  
Rock Island, IL 61201

Mr. Keith Shank, Manager  
Division of Resources, Review and  
Coordination  
Illinois Department of Natural Resources  
One Natural Resources Way  
Springfield, IL 62702-1787

Mr. Ken Runkle  
Toxicology Section  
525 West Jefferson Street  
Springfield, IL 62761

Mr. Robert Mosher, #15  
1021 North Grand Avenue, East  
P.O. Box 19276  
Springfield, IL 62794-9274

Mr. Mike McCulley  
Illinois Department of Natural Resources  
Region III Office  
1556 State Route 54, East  
Clinton, IL 61727

Mr. Donald Dieker  
56 Holiday Drive  
Clinton, IL 61727

Pacific Northwest National Laboratory  
Attn: Ms. Eva Eckert Hickey  
MSIN K3-66  
PO Box 999  
Richland, WA 99352

Mr. Robert E. Sweeney  
IBEX ESI  
4641 Montgomery Avenue  
Suite 350  
Bethesda, MD. 20814

External E-mail

eddie.grant@exeloncorp.com  
jerald.holm@framatome-anp.com  
mwetterhahn@winston.com  
gcesare@enercon.com  
louis.quintana@gene.ge.com  
whorin@winston.com  
rob.sweeney@ibexesi.com