

February 17, 2006

Mr. Christopher M. Crane
President and Chief Nuclear Officer
Exelon Nuclear
Exelon Generation Company, LLC
200 Exelon Way, KSA 3-E
Kennett Square, PA 19348

SUBJECT: LIMERICK GENERATING STATION, UNIT NOS. 1 AND 2 - ISSUANCE OF
AMENDMENTS RE: DELETION OF REPORTING REQUIREMENT IN
FACILITY OPERATING LICENSES (TAC NOS. MC6253 AND MC6254)

Dear Mr. Crane:

The Commission has issued the enclosed Amendment No. 181 to Facility Operating License No. NPF-39 and Amendment No. 143 to Facility Operating License No. NPF-85 for the Limerick Generating Station, Unit Nos. 1 and 2, respectively, in response to your application dated February 25, 2005.

The amendments delete the reporting requirement in the Facility Operating Licenses related to reporting violations of other requirements in the operating licenses.

A copy of our Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

/RA/

Richard V. Guzman, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-352 and 50-353

Enclosures:

1. Amendment No. 181 to License No. NPF-39
2. Amendment No. 143 to License No. NPF-85
3. Safety Evaluation

cc w/encls: See next page

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Accession Number: ML060240439

OFFICE	CLIIP LPM	NRR/LPL1-1/PM	NRR/LPL1-2/LA	NRR/LPL1-2/BC
NAME	WReckley	RGuzman	CRaynor	DRoberts
DATE	1/24/06	2/06/06	2/04/06	2/17/06

Official Record Copy

EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-352

LIMERICK GENERATING STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 181
License No. NPF-39

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Exelon Generation Company, LLC (the licensee) dated February 25, 2005, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Facility Operating License is amended by deletion of paragraph 2.F as indicated in the attachment to this license amendment.
3. This license amendment is effective as of the date of its issuance and shall be implemented within 60 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Darrell J. Roberts, Chief
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to Facility Operating License

Date of Issuance: February 17, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 181

FACILITY OPERATING LICENSE NO. NPF-39

DOCKET NO. 50-352

Replace the following page of the Facility Operating License with the attached page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove
8

Insert
8

EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-353

LIMERICK GENERATING STATION, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 143
License No. NPF-85

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Exelon Generation Company, LLC (the licensee) dated February 25, 2005, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Facility Operating License is amended by deletion of paragraph 2.E as indicated in the attachment to this license amendment.
3. This license amendment is effective as of the date of its issuance and shall be implemented within 60 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Darrell J. Roberts, Chief
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to Facility Operating License

Date of Issuance: February 17, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 143

FACILITY OPERATING LICENSE NO. NPF-85

DOCKET NO. 50-353

Replace the following page of the Facility Operating License with the attached page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove
5

Insert
5

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NOS. 181 AND 143 TO FACILITY OPERATING
LICENSE NOS. NPF-39 AND NPF-85
EXELON GENERATION COMPANY, LLC
LIMERICK GENERATING STATION, UNIT NOS. 1 AND 2
DOCKET NOS. 50-352 AND 50-353

1.0 INTRODUCTION

By application dated February 25, 2005, Exelon Generation Company, LLC (the licensee) requested changes to the Facility Operating Licenses (FOLs) for Limerick Generating Station, Unit Nos. 1 and 2 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML050600047). The proposed amendments would delete the sections of the FOLs that require reporting of violations of the requirements in Section 2.C of the FOLs. A notice announcing the availability of this proposed change using the consolidated line item improvement process (CLIIP) was published in the *Federal Register* on November 4, 2005 (70 FR 67202). The licensee's application was used during the development of the CLIIP notices and is being evaluated using that process even though the application predates the notice of availability.

2.0 REGULATORY EVALUATION

A section or condition was included in the FOLs issued to some nuclear power plants requiring the licensee to make reports to the Nuclear Regulatory Commission (NRC or the Commission) regarding violations of other sections of the operating license (typically, Section 2.C). A typical license condition reads as follows:¹

Except as otherwise provided in this license and its appendices, the Licensee shall report any violations of the requirements contained in Section 2.C of this license in the following manner: initial notification shall be made within 24 hours to the NRC Operations Center via the Emergency Notification System with written followup within thirty days in accordance with the procedures described in 10 CFR [Title 10 of the Code of Federal Regulations] 50.73 (Licensee event report system).

In addition to the information provided to support licensing decisions, the NRC obtains information about plant operation, licensee programs, and other matters using a combination of

¹ The conditions in the FOLs for Limerick are similar to the standard language.

inspections and reporting requirements. Routine or scheduled reports that are required to be submitted to the NRC are defined in the related regulations, specific license conditions, technical specifications (TSs), or an NRC-approved program document. The reporting of emergencies, unplanned events or conditions, and other special cases may also be addressed within such documents by the inclusion of reporting thresholds and are also the focus of the reporting requirements in 10 CFR 50.72, "Immediate notification requirements for operating nuclear power reactors," and 10 CFR 50.73, "Licensee event report system." Changes to the reporting regulations in 10 CFR 50.72 and 10 CFR 50.73 became effective in January 2001 (see *Federal Register* notice on October 25, 2000 (65 FR 63769)) and included extending the allowable reporting times for licensee event reports (LERs) from 30 days to 60 days.

3.0 TECHNICAL EVALUATION

The specific sections in the Limerick FOLs require the licensee to report any violations of the requirements of Section 2.C of the FOLs and define the method and allowable time periods for such reports. The reporting threshold (i.e., a violation) for some of the conditions included in Section 2.C of the FOLs duplicates those defined in 10 CFR 50.72 and 10 CFR 50.73. However, the requirements in the FOLs may have different deadlines than those defined in the regulations (following a rule change in 2001). This difference in reporting requirements has led to variations in reporting since many FOLs do not contain the subject condition. For those licensees with a 30-day reporting requirement in the FOL, the condition has decreased the benefits of the rulemaking. For those cases where the current FOL requirement to report violations is also reportable in accordance with the regulations defined in 10 CFR 50.72 and 10 CFR 50.73, the NRC staff finds that the regulations adequately address this issue, and the elimination of the duplicative requirement in the FOL is acceptable.

Some of the conditions addressed in Section 2.C of the FOL may address the maintenance of particular programs, administrative requirements, or other matters where a violation of the requirement would not result in a report to the NRC in accordance with 10 CFR 50.72 or 10 CFR 50.73. In most cases, there are requirements for reports to the NRC related to these conditions in other regulations, the specific license condition or TS, or an NRC-approved program document. In other cases, there are reports to other agencies or news releases that would prompt a report to the NRC (in accordance with 10 CFR 50.72(b)(2)(xi)). The NRC staff also assessed violations of administrative requirements that could be reportable under the current License Condition but that may not have a duplicative requirement in a regulation or other regulatory requirement. The NRC staff finds that the requirements to report such problems within 24 hours, with written reports to follow using the LER process, is not needed. The NRC staff is confident that the information related to such violations that is actually important to the NRC's regulatory functions would come to light in a time frame comparable to the 60-day LER requirements. The information would become available to the appropriate NRC staff through the inspection program, updates to program documents, resultant licensing actions, public announcements, or some other reliable mechanism.

The NRC staff finds that the elimination of specific sections in the Limerick FOLs will not result in a loss of information to the NRC that would adversely affect either its goal to protect public health and safety or its ability to carry out its various other regulatory responsibilities.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Pennsylvania State official was notified of the proposed issuance of the amendments. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendments change recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: W. Reckley

Date: February 17, 2006

Limerick Generating Station, Unit Nos. 1 and 2

cc:

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