

June 14, 2006

Mr. Christopher M. Crane, President
and Chief Nuclear Officer
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: LASALLE COUNTY STATION, UNITS 1 AND 2 - ISSUANCE OF
AMENDMENTS RE: DELETION OF REPORTING REQUIREMENT IN
FACILITY OPERATING LICENSES (TAC NOS. MC6251 AND MC6252)

Dear Mr. Crane:

The Commission has issued the enclosed Amendment No. 178 to Facility Operating License No. NPF-11 and Amendment No. 164 to Facility Operating License No. NPF-18 for the LaSalle County Station, Units 1 and 2, respectively. The amendments are 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 license.

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

Sincerely,

/RA/

Stephen P. Sands, Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-373 and 50-374

Enclosures:

1. Amendment No. 178 to NPF-11
2. Amendment No. 164 to NPF-18
3. Safety Evaluation

cc w/encls: See next page

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EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-373

LASALLE COUNTY STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 178
License No. NPF-11

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by the 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 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 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 set forth in 10 CFR Chapter I;
 - 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 and paragraph 2.C.(2) of the Facility Operating License No. NPF-11 is hereby amended to read as follows:

- (2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 178, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

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/

Daniel S. Collins, Chief
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Facility
Operating License

Date of Issuance: June 14, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 178

FACILITY OPERATING LICENSE NO. NPF-11

DOCKET NO. 50-373

Replace the following pages of the Facility Operating License with the enclosed pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

3
16b
17

Insert

3
16b
17

- (4) Exelon Generation Company, LLC, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
 - (5) Exelon Generation Company, LLC, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of LaSalle County Station, Units 1 and 2.
- C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- (1) Maximum Power Level

The licensee is authorized to operate the facility at reactor core power levels not in excess of full power (3489 megawatts thermal).
 - (2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 178, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.
 - (3) Conduct of Work Activities During Fuel Load and Initial Startup

The licensee shall review by committee all Unit 1 Preoperational Testing and System Demonstration activities performed concurrently with Unit 1 initial fuel loading or with the Unit 1 Startup Test Program to assure that the activity will not affect the safe performance of the Unit 1 fuel loading or the portion of the Unit 1 Startup Program being performed. The review shall address, as a minimum, system interaction, span of control, staffing, security and health physics, with respect to performance of the activity concurrently with the Unit 1 fuel loading or the portion of the Unit 1 Startup Program being performed. The committee for the review shall be composed of at least three members, knowledgeable in the above areas, and who meet the qualifications for professional-technical personnel specified by

- (d) An exemption was requested from the requirements of 10 CFR 50.44 until either the required 100 percent rated thermal power trip startup test has been completed or the reactor has operated for 120 effective full power days as specified by the Technical Specifications. Exemption (d) is described in the safety evaluation of License Amendment No. 12.
- (e) An exemption from the requirement of paragraph III.D of Appendix J to conduct the third Type A test of each ten-year service period when the plant is shutdown for the 10-year plant inservice inspections. Exemption (e) is described in the safety evaluation accompanying Amendment No. 102 to this license.
- (f) An exemption was granted to remove the Main Steam Isolation Valves (MSIVs) from the acceptance criteria for the combined local leak rate test (Type B and C), as defined in the regulations of 10 CFR Part 50, Appendix J, Option B, Paragraph III.B. Exemption (f) is described in the safety evaluation accompanying Amendment No. 112 to this License.

These exemptions are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest. Therefore, these exemptions are hereby granted. The facility will operate, to the extent authorized herein, in conformity with the application, as amended, and the rules and regulations of the Commission (except as hereinafter exempted therefrom), and the provisions of the Act.

- E. This license is subject to the following additional condition for the protection of the environment:

Before engaging in additional construction or operational activities which may result in a significant adverse environmental impact that was not evaluated or that is significantly greater than that evaluated in the Final Environmental Statement and its Addendum, the licensee shall provide a written notification to the Director of the Office of Nuclear Reactor Regulation and receive written approval from that office before proceeding with such activities.

- F. Deleted

- G. The licensee shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.
- H. This license is effective as of the date of issuance and shall expire April 17, 2022.

FOR THE NUCLEAR REGULATORY COMMISSION

original signed by:

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Attachment:

1. Attachment 1
2. Appendix A - Technical Specifications (NUREG-0861)
3. Appendix B - Environmental Protection Plan

Date of Issuance: April 17, 1982

EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-374

LASALLE COUNTY STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 164
License No. NPF-18

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by the 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 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 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 set forth in 10 CFR Chapter I;
 - 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 paragraphs 2.F and 2.G as indicated in the attachment to this license amendment and paragraph 2.C.(2) of the Facility Operating License NPF-18 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 164, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

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/

Daniel S. Collins, Chief
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Facility
Operating License

Date of Issuance: June 14, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 164

FACILITY OPERATING LICENSE NO. NPF-18

DOCKET NO. 50-374

Replace the following pages of the Facility Operating License with the enclosed pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

3
11

Insert

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11

- (5) Pursuant to the Act and 10 CFR Parts 30, 40, and 70 possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of LaSalle County Station Units 1 and 2.

C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

- (1) Maximum Power Level

The licensee is authorized to operate the facility at reactor core power levels not in excess of full power (3489 megawatts thermal). Items in Attachment 1 shall be completed as specified. Attachment 1 is hereby incorporated into this license.

- (2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 164, and the Environmental Protection Plan contained in Appendix B, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

- (3) Conduct of Work Activities During Fuel Load and Initial Startup

The licensee shall review by committee all Unit 2 Preoperational Testing and System Demonstration activities performed concurrently with Unit 2 initial fuel loading or with the Unit 2 Startup Test Program to assure that the activity will not affect the safe performance of the Unit 2 fuel loading or the portion of the Unit 2 Startup Program being performed. The review shall address, as a minimum, system interaction, span of control, staffing, security and health physics, with respect to performance of the activity concurrently with the Unit 2 fuel loading or the portion of the Unit 2 Startup Program being performed. The committee for the review shall be composed of at least three members, knowledgeable in the above areas, and who meet the qualifications for professional-technical personnel specified by section 4.4 of ANSI N18.7-1971. At least one of these three shall be a senior member of the Assistant Superintendent of Operation's staff.

- F. Deleted
- G. Deleted
- H. The licensee shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.
- I. This license is effective as of the date of issuance and shall expire at Midnight on December 16, 2023.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by:
Darrell G. Eisenhut for

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Attachments/Appendices:

1. Attachment 1
2. Attachment 2
3. Appendix A - Technical Specifications (NUREG-1013)
4. Appendix B - Environmental Protection Plan

Date of Issuance: December 16, 1983

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 178 TO FACILITY OPERATING LICENSE NO. NPF-11
AND AMENDMENT NO. 164 TO FACILITY OPERATING LICENSE NO. NPF-18
EXELON GENERATION COMPANY, LLC
LASALLE COUNTY STATION, UNITS 1 AND 2
DOCKET NOS. 50-373 AND 50-374

1.0 INTRODUCTION

By letter to the Nuclear Regulatory Commission (NRC, Commission) dated February 25, 2005, (Agencywide Documents Access and Management System Accession Number ML050600047) Exelon Generation Company, LLC (the licensee), requested changes to the Facility Operating Licenses for the LaSalle County Station, Units 1 and 2 (LaSalle). The proposed amendment would delete the sections of the Facility Operating Licenses that require reporting of violations of the requirements in Sections 2.C and 2.E of the Facility Operating License. A notice announcing the availability of this proposed change using the consolidated line item improvement process (CLIP) was published in the *Federal Register* on November 4, 2005 (70 FR 67202). The licensee's application was used during the development of the CLIP notice 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 facility operating licenses issued to some nuclear power plants requiring the licensee to make reports to the NRC 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 [Title 10 of the *Code of Federal Regulations* (10 CFR)] 10 CFR 50.73 (Licensee event report system).

¹ The conditions in the Facility Operating Licenses for LaSalle are similar to the standard language. The LaSalle conditions also include reporting of violations of Condition 2.E which require notification to and approval by the NRC before engaging in construction or operational activities which may result in significant adverse environmental impact.

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 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 condition, technical specification (TS), 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 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 Facility Operating Licenses for LaSalle require the licensee to report any violations of the requirements of Sections 2.C and 2.E of the Facility Operating Licenses 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 Sections 2.C and 2.E of the Facility Operating Licenses duplicates those defined in 10 CFR 50.72 and 10 CFR 50.73. However, the requirements in the Facility Operating Licenses 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 facility operating licenses do not contain the subject condition. For those licensees with a 30-day reporting requirement in the Facility Operating License, the condition has decreased the benefits of the rulemaking. For those cases where the current Facility Operating License 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 Facility Operating License is acceptable.

Some of the conditions addressed in Section 2.C of the Facility Operating License 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 (including Condition 2.E in the LaSalle Facility Operating Licenses). 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 LaSalle Facility Operating

Licenses 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 Illinois State official was notified of the proposed issuance of the amendment. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets 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 amendment.

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: June 14, 2006

LaSalle County Station Units 1 and 2

cc:

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