

An Exelon Company

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Nuclear

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4300 Winfield Road
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10 CFR 50.54(a)(4)

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5928-07-20623
2130-07-20492

April 24, 2007

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, Unit 1
Facility Operating License No. NPF-62
NRC Docket No. 50-461

Dresden Nuclear Power Station, Units 1, 2, and 3
Facility Operating License No. DPR-2
Renewed Facility Operating License Nos. DPR-19 and DPR-25
NRC Docket Nos. 50-010, 50-237, 50-249, and 72-37

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 Nos. 50-352 and 50-353

Oyster Creek Nuclear Generating Station
Facility Operating License No. DPR-16
NRC Docket Nos. 50-219 and 72-15

Peach Bottom Atomic Power Station, Units 1, 2, and 3
Facility Operating License No. DPR-12
Renewed Facility Operating License Nos. DPR-44 and DPR-56
NRC Docket Nos. 50-171, 50-277, 50-278, and 72-29

Quad Cities Nuclear Power Station, Units 1 and 2
Renewed Facility Operating License Nos. DPR-29 and DPR-30
NRC Docket Nos. 50-254, 50-265, and 72-53

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

Zion Nuclear Power Station, Units 1 and 2
Facility Operating License Nos. DPR-39 and DPR-48
NRC Docket Nos. 50-295 and 50-304

Exelon Generation Company, LLC and AmerGen Energy Company, LLC
10 CFR 71, "Packaging and Transportation of Radioactive Material"
NRC Docket No. 71-008

Subject: Response to Request for Additional Information Regarding Request for Approval of Change to Exelon Generation Company, LLC, and AmerGen Energy Company, LLC, Quality Assurance Topical Report

Reference: (1) Letter from D. M. Benyak (Exelon Generation Company, LLC) to U. S. NRC, "Request for Approval of Change to Exelon Generation Company, LLC, and AmerGen Energy Company, LLC, Quality Assurance Topical Report," dated January 22, 2007

(2) Letter from C. Gratton (U. S. NRC) to C. M. Crane (Exelon Generation Company, LLC), "Request for Additional Information Related to Request for Approval of Change to Exelon Generation Company, LLC, and AmerGen Energy Company, LLC, Quality Assurance Topical Report," dated April 19, 2007

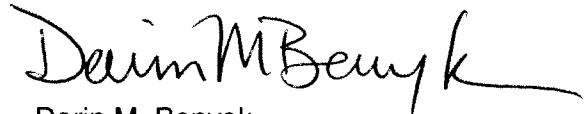
In Reference 1, Exelon Generation Company, LLC (EGC) and AmerGen Energy Company, LLC (AmerGen) requested a change to the Quality Assurance Topical Report (QATR). The Reference 1 submittal listed NRC Regulatory Issue Summary 1999-02, "Relaxation of Technical Specification Requirements for PORC Review of Fire Protection Program Changes," and included a discussion of the guidance provided to the James A. FitzPatrick Nuclear Power Plant regarding an Administrative change to their Technical Specifications.

In Reference 2, the NRC requested additional information to complete the review of the QATR change. The attachment to this letter provides the requested information.

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If you have any questions concerning this submittal, please contact David Chrzanowski at (630) 657-2816.

Respectfully,



Darin M. Benyak
Director – Licensing and Regulatory Affairs

Attachment: Clarification of Quality Assurance Topical Report Change Request

cc: Regional Administrator – NRC Region I
Regional Administrator – NRC Region III
NRC Senior Resident Inspector – Braidwood Station
NRC Senior Resident Inspector – Byron Station
NRC Senior Resident Inspector – Clinton Power Station
NRC Senior Resident Inspector – Dresden Nuclear Power Station
NRC Senior Resident Inspector – LaSalle County Station
NRC Senior Resident Inspector – Limerick Generating Station
NRC Senior Resident Inspector – Oyster Creek Nuclear Generating Station
NRC Senior Resident Inspector – Peach Bottom Atomic Power Station
NRC Senior Resident Inspector – Quad Cities Nuclear Power Station
NRC Senior Resident Inspector – Three Mile Island Station

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ATTACHMENT

Clarification of Quality Assurance Topical Report Change Request

NRC Question

Regulatory Issue Summary (RIS) 99-002, "Relaxation of the Technical Specification (TS) Requirements for Plant Operating Review Committee (PORC) Review of Fire Protection Program Changes," identifies a method of meeting requirements for PORC review of the fire protection program and its implementing procedure.

(RIS) 99-002, "Background Information," states:

The following regulatory controls in effect contribute to ensuring the continued effectiveness of the FitzPatrick fire protection program:

- (1) The FitzPatrick license includes a license condition that the licensee may make changes to the approved fire protection program without prior Commission approval only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.
- (2) Since the fire protection program is included in the FitzPatrick final safety analysis report (FSAR), the provisions of 10 CFR 50.59 apply; this regulation prohibits changes to the facility without prior Commission approval if it is determined that the change constitutes an unreviewed safety question.
- (3) The FitzPatrick technical specifications require the Safety Review Committee to inspect and audit the fire protection program.
- (4) The FitzPatrick technical specifications require written procedures and administrative policies to implement the fire protection program.

The NRC staff noted that item (3) above was not discussed in your January 22, 2007, letter. Please describe how the Quality Assurance Topical Report establishes a requirement to inspect and audit the fire protection program.

Response

Appendix B, "Audit Frequency," of the Exelon Generation Company, LLC (EGC) and AmerGen Energy Company, LLC (AmerGen) Quality Assurance Topical Report (QATR) requires that the Nuclear Oversight Department audit the fire protection program, including implementing procedures, at least every 24 months. In addition, QATR Appendix B requires that the inspection of equipment and audit of the fire protection program implementation shall utilize either a qualified offsite licensee fire protection engineer or an outside, independent fire protection consultant. The outside, independent fire protection consultant shall be used at least every second year.