

ENCLOSURE 1

REVISED PAGES OF FACILITY OPERATING LICENSE NOS. NPF-37 AND NPF-66

DOCKET NOS. STN 50-454 AND STN 50-455

BYRON STATION, UNIT NOS. 1 AND 2

Replace the following pages of the Facility Operating Licenses. The revised pages are identified by the date of the letter issuing these pages and contain marginal lines indicating the areas of change.

Remove

Insert

License NPF-37
Page 4b

License NPF-37
Page 4b

License NPF-66
Page 4a
Page 4b

License NPF-66
Page 4a
Page 4b

REVISED PAGES OF FACILITY OPERATING LICENSE NOS. NPF-72 AND NPF-77

DOCKET NOS. STN 50-456 AND STN 50-457

BRAIDWOOD STATION, UNITS 1 AND 2

Replace the following pages of the Facility Operating Licenses. The revised pages are identified by the date of the letter issuing these pages and contain marginal lines indicating the areas of change.

Remove

Insert

License NPF-72
Page 4a
Page 4b

License NPF-72
Page 4a
Page 4b

License NPF-77
Page 4a
Page 4b

License NPF-77
Page 4a
Page 4b

(22) Mitigation Strategy License Condition

Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

- (a) Fire fighting response strategy with the following elements:
 - 1. Pre-defined coordinated fire response strategy and guidance
 - 2. Assessment of mutual aid fire fighting assets
 - 3. Designated staging areas for equipment and materials
 - 4. Command and control
 - 5. Training of response personnel
- (b) Operations to mitigate fuel damage considering the following:
 - 1. Protection and use of personnel assets
 - 2. Communications
 - 3. Minimizing fire spread
 - 4. Procedures for implementing integrated fire response strategy
 - 5. Identification of readily-available pre-staged equipment
 - 6. Training on integrated fire response strategy
 - 7. Spent fuel pool mitigation measures
- (c) Actions to minimize release to include consideration of:
 - 1. Water spray scrubbing
 - 2. Dose to onsite responders

- D. The facility requires no exemptions from the requirements of 10 CFR Part 50.
- E. Exelon Generation Company shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822), and the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans¹, which contain Safeguards Information protected under 10 CFR 73.21 is entitled: "Byron Nuclear Power Station Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Revision 3," submitted by letter dated May 17, 2006.

¹The training and Qualification Plan and Safeguards Contingency Plan are Appendices to the Security Plan

- (c) The decommissioning trust agreement for Byron, Unit 2, must provide that no disbursements or payments from the trust shall be made by the trustee unless the trustee has first given the Director of the Office of Nuclear Reactor Regulation, 30 days prior written notice of payment. The decommissioning trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the NRC.
 - (d) The decommissioning trust agreement must provide that the agreement can not be amended in any material respect without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.
 - (e) The appropriate section of the decommissioning trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trust shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.
- (10) Exelon Generation Company, LLC shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for approval of the transfer of the Byron, Unit 2, license and the requirements of the Order approving the transfer, and consistent with the safety evaluation supporting the Order.
- (11) Mitigation Strategy License Condition

Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

- (a) Fire fighting response strategy with the following elements:
 - 1. Pre-defined coordinated fire response strategy and guidance
 - 2. Assessment of mutual aid fire fighting assets
 - 3. Designated staging areas for equipment and materials
 - 4. Command and control
 - 5. Training of response personnel
- (b) Operations to mitigate fuel damage considering the following:
 - 1. Protection and use of personnel assets
 - 2. Communications
 - 3. Minimizing fire spread
 - 4. Procedures for implementing integrated fire response strategy
 - 5. Identification of readily-available pre-staged equipment
 - 6. Training on integrated fire response strategy
 - 7. Spent fuel pool mitigation measures

- (c) Actions to minimize release to include consideration of:
 - 1. Water spray scrubbing
 - 2. Dose to onsite responders

- D. The facility requires no exemptions from the requirements of 10 CFR Part 50.

An exemption was previously granted pursuant to 10 CFR 70.24. The exemption was granted with NRC materials license No. SNM-1916, issued March 4, 1985, and relieved the licensee from the requirement of having a criticality alarm system. Therefore, the licensee is exempted from the criticality alarm system provision of 10 CFR 70.24 so far as this section applies to the storage of fuel assemblies held under this licensee.

- E. The licensee shall implement and maintain in effect all provisions of the approved fire protection program as described in the licensee's Fire Protection Report and the licensee's letters dated September 23, 1986, October 23, 1986, November 3, 1986, December 12 and 15, 1986, and January 21, 1987, and as approved in the SER dated February 1982 through Supplement No. 8, subject to the following provision:

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

- F. Exelon Generation Company shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualifications, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822), and the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans¹, which contain Safeguards Information protected under 10 CFR 73.21, is entitled: "Byron Nuclear Power Station Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Revision 3," submitted by letter dated May 17, 2006.

- G. Deleted

¹The training and Qualification Plan and Safeguards Contingency Plan are Appendices to the Security Plan

- (b) With respect to the decommissioning trust fund, investments in the securities or other obligations of Exelon Corporation or affiliates thereof, or their successors or assigns are prohibited. Except for investments tied to market indexes or other non-nuclear sector mutual funds, investments in any entity owning one or more nuclear power plants are prohibited.
 - (c) The decommissioning trust agreement for Braidwood, Unit 1, must provide that no disbursements or payments from the trust shall be made by the trustee unless the trustee has first given the Director of the Office of Nuclear Reactor Regulation 30 days prior written notice of payment. The decommissioning trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the NRC.
 - (d) The decommissioning trust agreement must provide that the agreement can not be amended in any material respect without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.
 - (e) The appropriate section of the decommissioning trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trust shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.
- (11) Exelon Generation Company shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for approval of the transfer of the Braidwood, Unit 1, license and the requirements of the Order approving the transfer, and consistent with the safety evaluation supporting the Order.
- (12) Mitigation Strategy License Condition
- Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:
- (a) Fire fighting response strategy with the following elements:
 - 1. Pre-defined coordinated fire response strategy and guidance
 - 2. Assessment of mutual aid fire fighting assets
 - 3. Designated staging areas for equipment and materials
 - 4. Command and control
 - 5. Training of response personnel
 - (b) Operations to mitigate fuel damage considering the following:
 - 1. Protection and use of personnel assets
 - 2. Communications
 - 3. Minimizing fire spread

4. Procedures for implementing integrated fire response strategy
5. Identification of readily-available pre-staged equipment
6. Training on integrated fire response strategy
7. Spent fuel pool mitigation measures

- (c) Actions to minimize release to include consideration of:
1. Water spray scrubbing
 2. Dose to onsite responders

- D. The facility requires an exemption from the requirements of Appendix J to 10 CFR Part 50, Paragraph III.D.2(b)(ii), the testing of containment air locks at times when containment integrity is not required (SER Section 6.2.6). This exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. This exemption is hereby granted. The special circumstances regarding this exemption are identified in the referenced section of the safety evaluation report and the supplements thereto. This exemption is granted pursuant to 10 CFR 50.12. With this exemption, the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

An exemption was previously granted pursuant to 10 CFR 70.24. The exemption was granted with NRC materials license No. SNM-1938, issued October 8, 1985, and relieved the licensee from the requirement of having a criticality alarm system. Therefore, the licensee is exempted from the criticality alarm system provision of 10 CFR 70.24 so far as this section applies to the storage of fuel assemblies held under this license.

- E. The licensee shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report, as supplemented and amended, and as approved in the SER dated November 1983 and its supplements, subject to the following provision:

The licensee may make changes to the approved fire protection program without prior approval of the Commission, only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

- (c) The decommissioning trust agreement for Braidwood, Unit 2 must provide that no disbursements or payments from the trust shall be made by the trustee unless the trustee has first given the Director of the Office of Nuclear Reactor Regulation 30 days prior written notice of payment. The decommissioning trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the NRC.
 - (d) The decommissioning trust agreement must provide that the agreement can not be amended in any material respect without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.
 - (e) The appropriate section of the decommissioning trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trust shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.
- (10) Exelon Generation Company, LLC shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for approval of the transfer of the Braidwood, Unit 2, license and the requirements of the Order approving the transfer, and consistent with the safety evaluation supporting the Order.
- (11) Mitigation Strategy License Condition
- Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:
- (a) Fire fighting response strategy with the following elements:
 - 1. Pre-defined coordinated fire response strategy and guidance
 - 2. Assessment of mutual aid fire fighting assets
 - 3. Designated staging areas for equipment and materials
 - 4. Command and control
 - 5. Training of response personnel
 - (b) Operations to mitigate fuel damage considering the following:
 - 1. Protection and use of personnel assets
 - 2. Communications
 - 3. Minimizing fire spread
 - 4. Procedures for implementing integrated fire response strategy
 - 5. Identification of readily-available pre-staged equipment
 - 6. Training on integrated fire response strategy
 - 7. Spent fuel pool mitigation measures

- (c) Actions to minimize release to include consideration of:
 - 1. Water spray scrubbing
 - 2. Dose to onsite responders

D. The facility requires an exemption from the requirements of Appendix J to 10 CFR Part 50, Paragraph III.D.2(b)(ii), the testing of containment air locks at times when containment integrity is not required (SER Section 6.2.6). This exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The staff's environmental assessment was published on May 19, 1988 (53 FR 17995). This exemption was granted in the low power license and is continued for the full power license. The special circumstances regarding this exemption are identified in the referenced section of the Safety Evaluation Report and the supplements thereto. This exemption is granted pursuant to 10 CFR 50.12. With this exemption, the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

An exemption was previously granted pursuant to 10 CFR 70.24. The exemption was granted with NRC materials license No. SNM-1938, issued October 8, 1985, and relieved the licensee from the requirement of having a criticality alarm system. Therefore, the licensee is exempted from the criticality alarm system provision of 10 CFR 70.24 so far as this section applies to the storage of fuel assemblies held under this license.

The facility requires a temporary exemption from the requirements of 10 CFR 50.49(f) and 50.49(j).

Title 10 of the Code of Federal Regulations (10 CFR) Part 50.49 (a) states:

Each holder of or each applicant for a license to operate a nuclear power plant shall establish a program for qualifying the electric equipment defined in paragraph (b) in this section.

Section 50.49(f) of 10 CFR 50 states:

Each item of electric equipment important to safety must be qualified by one of the following methods:

- 1. Testing an identical item of equipment under identical conditions or under similar conditions with a supporting analysis to show that the equipment to be qualified is acceptable.
- 2. Testing a similar item of equipment with a supporting analysis to show that the equipment to be qualified is acceptable.