

September 29, 2008

Mr. Charles G. Pardee
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AmerGen Energy Company, LLC
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SUBJECT: APPROVAL OF EXELON GENERATION COMPANY, LLC, AND AMERGEN ENERGY COMPANY, LLC, QUALITY ASSURANCE PROGRAM CHANGES REGARDING THE REMOVAL OF REQUIREMENT TO OBTAIN PLANT OPERATING REVIEW COMMITTEE REVIEW AND APPROVAL OF ALL NEW AND REVISED REGULATORY GUIDE 1.33 "QUALITY ASSURANCE PROGRAM REQUIREMENTS," RECOMMENDED ADMINISTRATIVE PROCEDURES (TAC NOS MD9365, MD9366, MD9367, MD9368, MD9369, MD9370, MD9371, MD9372, MD9373, MD9374, MD9375, MD9376, MD9377, MD9378, MD9379, MD9380, MD9381, MD9382, MD9383, MD9384, MD9385)

Dear Mr. Pardee:

By letter dated July 31, 2008, as supplemented on September 16, 2008, Exelon Generation Company, LLC, and AmerGen Energy Company, LLC (together, the licensees), submitted a request for approval of a change to the Quality Assurance Topical Report (QATR). The change is applicable to Braidwood Station, Units 1 and 2; Byron Station, Unit Nos. 1 and 2, and its independent spent fuel storage installation (ISFSI); Clinton Power Station, Unit No. 1; Dresden Nuclear Power Station, Units 1, 2 and 3, and ISFSI; LaSalle County Station, Units 1 and 2; Limerick Generating Station, Units 1 and 2, and ISFSI; Oyster Creek Nuclear Generating Station, and ISFSI; Peach Bottom Atomic Power Station, Units 1, 2, and 3, and ISFSI; Quad Cities Nuclear Power Station, Units 1 and 2, and ISFSI; Three Mile Island Nuclear Station, Unit 1; Zion Nuclear Power Station, Units 1 and 2; and the licensees Title 10 of the *Code of Federal Regulations* (10 CFR) Part 71, "Packaging and Transportation of Radioactive Material." The topical report describes the Appendix B quality assurance (QA) program applicable to the nuclear fleet of 21 operating and permanently shutdown nuclear reactors owned by the licensees.

The licensee determined that the proposed change involved a reduction in commitment, and in accordance with 10 CFR 50.54(a)(4), Nuclear Regulatory Commission (NRC) approval is required prior to implementation. The proposed change deletes the requirement to have new or revised administrative procedures, recommended by Regulatory Guide 1.33, "Quality Assurance Program Requirements (Operations)," reviewed by the plant's operations review committee prior to implementation.

C. Pardee

- 2 -

Based on our review of the changes to the QATR that are described in the licensees' submittal, the NRC staff concludes that the proposed change is consistent with the guidance in industry standards for subjects requiring independent review, and is therefore acceptable. The enclosed safety evaluation documents the basis for our conclusion that the proposed changes to the QA program are acceptable.

If you have any questions, please contact me at (301) 415-1055.

Sincerely,

/RA/

Christopher Gratton, Sr. Project Manager
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Office of Nuclear Reactor Regulation

Docket Nos. STN 50-456, STN 50-457, STN 50-454,
STN 50-455, 72-68, 50-461, 50-010, 50-237, 50-249,
72-37, 50-373, 50-374, 72-70, 50-352, 50-353, 72-65,
50-219, 72-15, 50-171, 50-277, 50-278, 72-29, 50-254,
50-265, 72-53, 50-289, 50-295, 50-304, and 71-0008

Enclosure:
Safety Evaluation

cc w/encl: See next page

C. Pardee

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Based on our review of the changes to the QATR that are described in the licensees' submittal, the NRC staff concludes that the proposed change is consistent with the guidance in industry standards for subjects requiring independent review, and is therefore acceptable. The enclosed safety evaluation documents the basis for our conclusion that the proposed changes to the QA program are acceptable.

If you have any questions, please contact me at (301) 415-1055.

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Enclosure:
Safety Evaluation

cc w/encl: See next page

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PUBLIC	LPL1-2 R/F	LPL3-2 R/F
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RidsAcrcAcnwMailCtr Resource	RidsNrrOd	RidsRgn3MailCenter
RidsNrrPMBraidwood Resource	RidsNrrPMLaSalle Resource	
RidsNrrPMDresden Resource	RidsNrrPMLimerick Resource	
RidsNrrPMPeachBottom Resource	RidsNrrLAABaxter	SMeighan, NRR
RidsNrrLATHarris Resource	RidsNrrDorlDpr	RidsEdoMailCenter
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ADAMS Accession No.: **ML082660968**

*SE Input dated

OFFICE	NRR/LPL3-2/PM	NRR/LPL3-1/LA	DE/EQVA/BC	NRR/LPL1-2/BC	DORL/LPL3-2
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DATE	9/ 26/08	9/26/08	9/ 19 /08	9/29/08	9/29/08

OFFICIAL RECORD COPY

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

REVISION TO QUALITY ASSURANCE PROGRAM MANUAL

BRAIDWOOD STATION, UNITS 1 AND 2;

BYRON STATION, UNITS 1 AND 2;

CLINTON POWER STATION, UNIT 1;

DRESDEN NUCLEAR POWER STATION, UNITS 1, 2 AND 3;

LASALLE COUNTY STATION, UNITS 1 AND 2;

LIMERICK GENERATING STATION, UNITS 1 AND 2;

OYSTER CREEK NUCLEAR GENERATING STATION;

PEACH BOTTOM ATOMIC POWER STATION, UNITS 1, 2, AND 3;

QUAD CITIES NUCLEAR POWER STATION, UNITS 1 AND 2;

THREE MILE ISLAND STATION, UNIT 1;

ZION NUCLEAR POWER STATION, UNITS 1 AND 2; AND

10 CFR 71, "PACKAGING AND TRANSPORTATION OF RADIOACTIVE MATERIAL."

EXELON GENERATION COMPANY, LLC AND AMERGEN ENERGY COMPANY, LLC

DOCKET NOS. STN 50-456 AND STN 50-457; STN 50-454, STN 50-455, AND 72-68;

50-461; 50-010, 50-237, 50-249 AND 72-37; 50-373, 50-374 AND 72-70; 50-352, 50-353,

AND 72-65; 50-219, AND 72-15; 50-171, 50-277, 50-278, AND 72-29; 50-254,

50-265, AND 72-53; 50-289; 50-295 AND 50-304; AND 71-0008.

1.0 INTRODUCTION

By letter dated July 31, 2008 (RS-08-093 and RA-08-076), as supplemented on September 16, 2008, Exelon Generation Company, LLC (EGC) and AmerGen Energy Company, LLC (AmerGen) (together, the licensees), submitted to the U.S. Nuclear Regulatory Commission (NRC) a request for a proposed change to the Quality Assurance Topical Report (QATR) for Braidwood Station, Units 1 and 2 (Braidwood); Byron Station, Unit Nos. 1 and 2 (Byron), and its independent spent fuel storage installation (ISFSI); Clinton Power Station, Unit No. 1 (Clinton); Dresden Nuclear Power Station, Units 1, 2, and 3 (Dresden), and ISFSI; LaSalle County Station,

Enclosure

Units 1 and 2 (LaSalle); Limerick Generating Station, Units 1 and 2 (Limerick), and ISFSI; Oyster Creek Nuclear Generating Station (Oyster Creek), and ISFSI; Peach Bottom Atomic Power Station, Units 1, 2, and 3 (Peach Bottom), and ISFSI; Quad Cities Nuclear Power Station, Units 1 and 2 (Quad Cities), and ISFSI; Three Mile Island Station, Unit 1 (TMI-1); Zion Nuclear Power Station, Units 1 and 2 (Zion); and Exelon Generation Company, LLC, and AmerGen Energy Company, LLC, Title 10 of the *Code of Federal Regulations* (10 CFR) Part 71, "Packaging and transportation of radioactive material." The proposed change removes the requirement to have new or revised administrative procedures, recommended by NRC Regulatory Guide (RG) 1.33, "Quality Assurance Program Requirements (Operations)," reviewed by the Plant's Operations Review Committee (PORC) prior to implementation. The proposed QATR change was submitted in accordance with the requirements of 10 CFR 50.54(a)(4) reflecting a change that reduce commitments in the QATR description and therefore, require NRC approval prior to implementation. The licensees' letter dated September 16, 2008 (RS-08-125), corrected docket numbers previously submitted under RS-08-093 and RA-08-076, for the independent spent fuel storage installation at LaSalle County Station and the license held under 10 CFR 71.

Specifically, the licensees propose to remove the requirement to obtain PORC review and approval of all new and revised RG 1.33 recommended administrative procedures. Currently, the QATR, Chapter 5, "Instructions, Procedures and Drawings," Section 2.3.1, states: *"Applicable Administrative Procedures recommended by RG 1.33 shall be submitted to the PORC as applicable, for review prior to implementation. The PORC shall recommend approval or disapproval based on their review."* The licensees propose deleting the italicized sentence to eliminate this administrative requirement.

2.0 BACKGROUND

In its letter dated July 31, 2008, the licensees stated that its Quality Assurance Program complies with the administrative controls and quality assurance requirements contained in the specific American National Standards Institute (ANSI) or American Nuclear Society (ANS) standards committed to by each site. For Limerick, Oyster Creek, Three Mile Island, and Clinton stations, the requirements of ANSI N18.7-1976/ANS 3.2, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants," apply; for Braidwood, Byron, Dresden, LaSalle and Quad Cities stations, ANSI/ANS 3.2-1988 apply; and for the Peach Bottom Atomic Power Station, ANSI N18.7-1972, "Administrative Controls for Nuclear Power Plants during Operational Phase," applies. These standards define the scope of review for PORC, as well as the requirements for the review and approval of documents including administrative procedures. The licensees also consider that this mandatory PORC review requirement creates an unnecessary burden without any compensating increase in nuclear safety.

2.1 Audits

The licensees stated in its letter, dated July 31, 2008, that in addition to the reviews required by their administrative controls, Appendix B, "Audit Frequency," of the QATR requires that a Nuclear Oversight Department audit be conducted on procedure adherence at least every 24 months. The licensees also stated that the QATR requires a review of randomly selected procedures every 24 months to ensure that the programmatic control processes used to assure that procedures are technically and administratively correct prior to use are resulting in timely and accurate procedure revisions.

3.0 EVALUATION

As previously stated, Chapter 5, "Instructions, Procedures and Drawings," of the Licensees' QATR states in Section 2.3.1 that "Applicable Administrative Procedures" recommended by RG 1.33 shall be submitted to the PORC as applicable, for review prior to implementation. The PORC shall recommend approval or disapproval based on their review." The licensees proposed deleting this requirement to have new or revised administrative procedures recommended by RG 1.33 reviewed by the plants' PORC prior to implementation, since it creates an unnecessary administrative burden without compensating increase in nuclear safety.

ANSI N18.7-1976, Section 4.3.4(5), as endorsed by RG 1.33, allows a licensee's on-site safety review committee (the independent reviewer) to review matters involving safe operation of the nuclear power plant, which an independent reviewer deems appropriate for consideration, or which is referred to the independent reviewer by the on-site operating organization or by other functional organizational units within the owner organization. The committee will determine which procedures to review based on the procedure's importance and impact on safety. Additionally, the applicable sections of both ANSI N18.7-1972 and ANSI/ANS 3.2-1988, as endorsed by RG 1.33, also allow this organizational flexibility for the independent reviewer. Therefore, deleting the language in the QATR requiring the PORC to review plant administrative procedures remains consistent with the intent of ANSI N18.7-1976, Section 4.3.4; ANSI N18.7-1972, Section 4.3, and ANSI/ANS 3.2-1988, Section 4.3.1, and is, therefore, acceptable.

4.0 CONCLUSION

The NRC staff has reviewed the proposed change to Section 2.3.1 of Chapter 5 to the QATR described in the licensee's July 31, 2008, request and concludes that it remains consistent with the administrative controls, independent review, and quality assurance requirements contained in the specific ANSI N18.7 and ANSI/ANS 3.2 standards committed to by each site and is, therefore, acceptable.

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Date: September 29, 2008

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