

March 5, 2009

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United States Nuclear Regulatory Commission  
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Byron Station, Unit 1 and Unit 2  
Facility Operating License Nos. NPF- 37 and NPF-66  
NRC Docket Nos. STN 50-454 and STN 50-455

Subject: Updated Information to Response to NRC Request Concerning  
Unresolved Item 05000454/2008008 and 05000455/2008008

- References: (1) Letter from Ann Marie Stone (USNRC) to Charles G. Pardee (Exelon Generation Company, LLC), "Byron Station, Units 1 and 2 Follow Up Inspection of an Unresolved Item (URI) 05000454/2008008; 05000455/2008008," dated May 5, 2008
- (2) Letter from David M. Hoots (Exelon Generating Company, LLC) to USNRC, "Response to NRC Request Concerning Unresolved Item 05000454/2008008; 05000455/2008008," dated June 4, 2008

In Reference 1, the NRC requested a response describing our intended actions and proposed schedule to resolve the noncompliance of single failure assumptions used in our Ultimate Heat Sink (UHS) design basis analysis.

In Reference 2, Byron Station provided a response with intended actions and proposed schedule. The intended action was to perform a design basis re-analysis of the UHS to evaluate the impact of postulated passive electrical single failures. The results of this analysis would then be incorporated into the Byron Station design basis via requirements of 10 CFR 50.59, "Changes, tests, and experiments." This was expected to be completed by December 5, 2008.

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On November 3, 2008, it was determined that the 10 CFR 50.59 evaluation of the re-analysis results would likely conclude that a Technical Specification (TS) revision would be necessary. Consequently, a License Amendment Request (LAR) would need to be developed and submitted to receive NRC approval prior to revising the UHS design basis.

Due to delays in finalizing the re-analysis, the schedule is now targeted to support submittal of the LAR to the NRC by end of the second quarter 2009. Per NRC request, this letter is follow-up notification of the change of the LAR submittal date.

Resolution of this non-compliance will continue to be tracked via our corrective action program. Pending final resolution, we will also continue to comply with the provisions of Administrative Letter 98-10, "Dispositioning of Technical Specifications That are Insufficient to Assure Plant Safety," as described in Reference 2.

There are no regulatory commitments contained in this letter. Should you have any questions about this letter, please contact Mr. David Gudger at (815) 406-2800.

Respectfully,



Daniel J. Enright  
Site Vice President  
Byron Station

DJE/JL/cy

cc: Regional Administrator – NRC Region III  
NRC Senior Resident Inspector – Byron Station  
Director, Office of Enforcement