



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 18, 2009

Mr. Charles G. Pardee  
President and Chief Nuclear Officer  
Exelon Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

SUBJECT: EXELON GENERATION COMPANY, LLC'S STATUS OF DECOMMISSIONING  
FUNDING ASSURANCE FOR BYRON STATION, UNIT NO. 2  
(TAC NO. ME0497)

Dear Mr. Pardee:

On March 31, 2009, the Nuclear Regulatory Commission (NRC) received Exelon Generation Company, LLC's (EGC, the licensee) biennial decommissioning funding report (Agencywide Documents Access and Management System Accession No. ML090900463) for Byron Station, Unit No. 2 (Byron 2).

Based on our internal review, the NRC staff believes that there is a decommissioning funding assurance shortfall for Byron 2. Although a shortfall in decommissioning funding assurance does not affect safe operations, adequate decommissioning funding assurance is important to ensure a plant will eventually be decommissioned safely.

The NRC staff will conduct a telephone conference with EGC within ten working days of the date of this letter to discuss the staff's calculations and methodology. The intent of the call will be to establish a mutual understanding and framework such that you will be able to develop a plan to resolve any decommissioning funding assurance shortfall.

If EGC is determined to have a shortfall, it will need to submit a plan by a date to be established at the close of the telephone conference. The plan would describe how and when the licensee intends to make adjustments to its trust fund balances and/or make other adjustments or changes with respect to financial assurance mechanisms, such that it will meet the minimum amount of financial assurance consistent with NRC's regulations.

#### Paperwork Reduction Act Statement

This Letter does not contain any new or amended information collection requirements subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). Existing collection requirements under 10 CFR Part 50 were approved by the Office of Management and Budget (OMB), control number 3150-0011, which expires June 30, 2010.

C. Pardee

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Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, an information collection unless the requesting document displays a currently valid OMB control number.

Sincerely,

A handwritten signature in black ink, appearing to read "Marshall J. David". The signature is fluid and cursive, with the first name "Marshall" being the most prominent part.

Marshall J. David, Senior Project Manager  
Plant Licensing Branch III-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. STN-455

cc: Distribution via Listserv

C. Pardee

- 2 -

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Sincerely,

*/RA/*

Marshall J. David, Senior Project Manager  
Plant Licensing Branch III-2  
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NRR-106

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