

RS-09-120
September 4, 2009

10 CFR 50.90

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

Subject: Clarification of Information Requested to be Withheld from Public Disclosure Supporting a License Amendment Request to Revise Technical Specifications (TS) for Steam Generator Permanent Alternate Repair Criteria

- References:**
1. Letter from P. R. Simpson (Exelon Generation Company, LLC) to U. S. Nuclear Regulatory Commission, "License Amendment Request to Revise Technical Specifications (TS) for Permanent Alternate Repair Criteria," dated June 24, 2009
 2. Letter from M. J. David (U. S. Nuclear Regulatory Commission) to C. G. Pardee (Exelon Generation Company, LLC), "Request for Withholding Information from Public Disclosure for Braidwood Station, Units 1 and 2, and Byron Station, Unit Nos. 1 and 2 (TAC Nos. ME1613, ME1614, ME1615, and ME1616)," dated August 5, 2009

In Reference 1, Exelon Generation Company, LLC (EGC), requested a license amendment for Braidwood Station, Units 1 and 2, and Byron Station, Units 1 and 2, to revise Technical Specifications (TS) 5.5.9, "Steam Generator (SG) Program," to exclude portions of the tube below the top of the steam generator tubesheet from periodic steam generator tube inspections and plugging or repair, and TS 5.6.9, "Steam Generator (SG) Tube Inspection Report," to revise the reporting requirements. Westinghouse Electric Company, LLC, (Westinghouse) WCAP-17072-P, Revision 0, "H*: Alternate Repair Criteria for the Tubesheet Expansion Region in Steam Generators with Hydraulically Expanded Tubes (Model D5)," was submitted with Reference 1 and provided the basis for the proposed change. WCAP-17072-P contains information considered by Westinghouse to be proprietary. As such, Reference 1 included a request that WCAP-17072-P be withheld from public disclosure pursuant to 10 CFR 2.390.

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In Reference 2, the NRC requested clarification regarding how each of the information items listed in the enclosure of Reference 2 meets the considerations of 10 CFR 2.390(b)(4). The NRC requested the clarifications to support making the required determination under 10 CFR 2.390(b) with regards to withholding WCAP-17072-P. The NRC requested the clarifications be provided within 30 days of the date of Reference 2.

The Attachment provides Westinghouse letter LTR-RCPL-09-133, "WCAP-17072-P, Rev. 0 Proprietary Information Clarification," Revision 1, dated September 1, 2009. Included in the Attachment are corrected pages for WCAP-17072-P and WCAP-17072-NP, which reflect the resolution of the requested clarifications.

The Attachment contains information proprietary to Westinghouse, and is supported by the affidavit included in Reference 1. The affidavit, signed by Westinghouse, the owner of the information, set forth the basis on which the information may be withheld from public disclosure by the NRC and addresses with specificity the considerations listed in paragraph (b)(4) of 10 CFR 2.390, "Public inspections, exemptions, requests for withholding." Accordingly, it is requested that the information that is proprietary to Westinghouse be withheld from public disclosure in accordance with 10 CFR 2.390.

EGC has reviewed the information supporting a finding of no significant hazards consideration that was previously provided to the NRC in Reference 1. The clarifications provided in this submittal do not affect the bases for concluding that the proposed license amendment does not involve a significant hazards consideration.

In accordance with 10 CFR 50.91, "Notice for public comment; State consultation," paragraph (b), a copy of this letter and its non-proprietary attachments are being provided to the designated State of Illinois official.

There are no regulatory commitments contained in this letter.

Should you have any questions concerning this letter, please contact Ms. Lisa A. Schofield at (630) 657-2815.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 4th day of September 2009.

Respectfully,

A handwritten signature in black ink that reads "Patrick R. Simpson". The signature is written in a cursive, flowing style.

Patrick R. Simpson
Manager – Licensing
Exelon Generation Company, LLC

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Attachment: Westinghouse LTR-RCPL-09-133, Revision 1 (Proprietary)

cc:

NRC Regional Administrator, Region III
NRC Senior Resident Inspector, Braidwood Station
NRC Senior Resident Inspector, Byron Station