



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

January 7, 2010

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

SUBJECT: BRAIDWOOD STATION, UNITS 1 AND 2; BYRON STATION, UNIT NOS. 1
AND 2 - REQUEST FOR ADDITIONAL INFORMATION
RE: DECOMMISSIONING FINANCIAL ASSURANCE PLANS
(TAC NOS. ME0489, ME0490, ME0496, AND ME0497)

Dear Mr. Pardee

By letter dated July 29, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML092220037), Exelon Generation Company, LLC (EGC) submitted its Decommissioning Funding Assurance Plan for Braidwood Station (Braidwood), Units 1 and 2, and Byron Station (Byron), Unit Nos. 1 and 2. The plan was requested by the Nuclear Regulatory Commission (NRC) staff following its review of the EGC's March 31, 2009, letter, (ADAMS Accession No. ML090900463), "Report on Status of Decommissioning Funding for Reactors." The NRC staff requested additional information to support its review of the July 29, 2009, letter. On October 27, 2009, EGC responded to the NRC staff's request for additional information.

The NRC staff is reviewing your October 27, 2009, submittal and has determined that additional information is required to complete the review. The specific information requested is addressed in the enclosure to this letter. During a discussion with your staff on January 5, 2010, it was agreed that you would provide a response 30 days from the date of this letter.

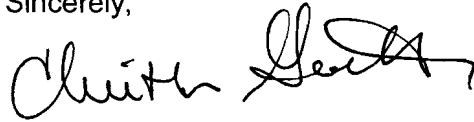
The NRC staff considers that timely responses to requests for additional information help ensure sufficient time is available for staff review and contribute toward the NRC's goal of

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efficient and effective use of staff resources. If circumstances result in the need to revise the requested response date, please contact me at (301) 415-1055.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Gratton". The signature is fluid and cursive, with a large initial "C" and a stylized "G".

Christopher Gratton, Senior Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-456, STN 50-457,
STN 50-454, and STN 50-455

Enclosure:
Request for Additional Information

cc w/encl: Distribution via Listserv

REQUEST FOR ADDITIONAL INFORMATION
BY THE OFFICE OF NUCLEAR REACTOR REGULATION
DECOMMISSIONING FINANCIAL ASSURANCE PLANS
2009 BIENNIAL DECOMMISSIONING REVIEW
BRAIDWOOD STATION, UNITS 1 AND 2;
BYRON STATION UNITS 1 AND 2;
DOCKET NOS. 50-456, 50-457, 50-454, AND 50-455

By letter dated July 29, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML092220037), Exelon Generation Company, LLC (EGC) submitted its Decommissioning Funding Assurance Plan (DFAP) for Braidwood Station (Braidwood), Units 1 and 2, and Byron Station (Byron), Unit Nos. 1 and 2. The plan was requested by the Nuclear Regulatory Commission (NRC) staff following its review of the EGC's March 31, 2009, letter, (ADAMS Accession No. ML090900463), "Report on Status of Decommissioning Funding for Reactors." The NRC staff requested additional information to support its review of the July 29, 2009, letter. On October 27, 2009, EGC responded to the NRC staff's request for additional information. In order for the NRC staff to complete its review of the DFAP, it requires the following additional information:

Braidwood Question 1:

The following request for additional information (RAI) is related to the DFAP, dated July 29, 2009, from EGC.

In accordance with Title 10 of the *Code of Federal Regulations (10 CFR)*, Section 50.75(b)(2):

The NRC reserves the right to take the following steps in order to ensure a licensee's adequate accumulation of decommissioning funds: review, as needed, the rate of accumulation of decommissioning funds; and, either independently or in cooperation with the FERC and the licensee's State PUC, take additional actions as appropriate on a case- by-case basis, including modification of a licensee's schedule for the accumulation of decommissioning funds.

Provide the balances for the respective decommissioning trust funds for Braidwood Unit 1 and Braidwood Unit 2 as of July 31, 2009, August 31, 2009, September 30, 2009 and October 31, 2009.

Braidwood Question 2:

As of November 30, 2009, Exelon has not resolved its shortfall in decommissioning funding assurance for Braidwood Units 1 and 2 per NRC requirements. Provide additional financial

Enclosure

assurance in an amount that will eliminate the decommissioning funding assurance shortfall for Braidwood Units 1 and 2 prior to December 31, 2009.

Byron Station, Unit Nos. 1 and 2

The following two RAIs are related to the Byron Station site-specific SAFSTOR Decommissioning Cost Estimate, dated November 16, 2009 (ML093210130) from Exelon Generation Company, LLC (EGC).

Byron Question 1

On November 16, 2009 Exelon submitted a site-specific SAFSTOR decommissioning cost estimate for Byron as part of the concurrent 2009, Biennial Decommissioning Review process. The licensee did not provide an update to the respective decommissioning trust fund balances for Byron. The most recent trust fund balances for Byron were reported by the licensee on July 29, 2009 (ML092220037). The licensee reported that the respective balances for Byron Unit Nos. 1 and 2 as of June 30, 2009, were \$199.1M for Byron Unit 1, and \$193.0M for Byron Unit 2.

In accordance with 10 CFR 50.75(b)(2):

The NRC reserves the right to take the following steps in order to ensure a licensee's adequate accumulation of decommissioning funds: review, as needed, the rate of accumulation of decommissioning funds; and, either independently or in cooperation with the FERC and the licensee's State PUC, take additional actions as appropriate on a case- by-case basis, including modification of a licensee's schedule for the accumulation of decommissioning funds.

Provide the balances for the respective decommissioning trust funds for Byron Unit 1 and Byron Unit 2 as of July 31, 2009, August 31, 2009, September 30, 2009, and October 31, 2009.

Byron Question 2

As of November 30, 2009, Exelon has not resolved its shortfall in decommissioning funding assurance for Byron per NRC requirements. Provide additional financial assurance in an amount that will eliminate the decommissioning funding assurance shortfall for Byron Unit Nos. 1 and 2 prior to December 31, 2009.

Byron and Braidwood

Beginning in 1999, provide the year-end balances, dates, and amounts of contributions made by Exelon into each of the decommissioning trust funds associated with Braidwood Units 1 and 2 and Byron Unit Nos. 1 and 2. The data should be aggregated to show the total contributions made.

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efficient and effective use of staff resources. If circumstances result in the need to revise the requested response date, please contact me at (301) 415-1055.

Sincerely,

/RA/

Christopher Gratton, Senior Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-456, STN 50-457,
STN 50-454, and STN 50-455

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Request for Additional Information

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ADAMS Accession No. ML100060167 *by telecon NRR-088

OFFICE	LPL3-2/PM	LPL3-2/LA*	LPL3-2/BC
NAME	CGratton	CGratton for THarris	SCampbell
DATE	1/6/10	1/6/10	1/7/10

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