



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, D.C. 20555-0001  
July 21, 2010

Mr. Michael J. Pacilio  
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; CLINTON POWER STATION, UNIT NO. 1; DRESDEN NUCLEAR POWER STATION, UNITS 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 2, AND 3; QUAD CITIES NUCLEAR POWER STATION, UNITS 1 AND 2; AND THREE MILE ISLAND NUCLEAR STATION, UNITS 1 AND 2 - ACCEPTANCE REVIEW RE: IMPLEMENTATION OF EMERGENCY ACTION LEVEL SCHEMES DEVELOPED FROM NEI 99-01, REVISION 5 (TAC NOS. ME3028, ME3029, ME3030, ME3031, ME3032, ME 3033, ME3034, ME3035, ME3036, ME3037, ME3038, ME3039, ME3040, ME3041, ME3041, ME3042, ME3043, AND ME3044)**

Dear Mr. Pacilio:

By letter to the Nuclear Regulatory Commission (NRC) dated December 22, 2009 (Agencywide Documents Access and Management System (ADAMS) (non-public) Accession No. ML100050503), Exelon Generation Company, LLC (the licensee), submitted a request for NRC review and approval of revisions to the Emergency Plan (EP) Emergency Action Levels (EALs) for the subject plants. The proposed EP changes would incorporate EALs based on the NRC-endorsed methodology Nuclear Energy Institute (NEI) 99-01, Revision (Rev) 5, "Methodology for Development of Emergency Action Levels," dated February 22, 2008 (ADAMS Accession No. ML080450149).

By memo dated July 8, 2010 (ADAMS Accession No. ML101890434), the NRC staff concluded that an entire revision from NEI 99-01, Rev. 4 to Rev. 5 is an EAL scheme change that requires prior NRC review and approval per Appendix E to 10 CFR 50. Specifically, EAL scheme changes require approval pursuant to 10 CFR Part 50, Appendix E, Section IV(B)(1).

In accordance with the requirements of 10 CFR Part 50, Appendix E, Section IV(B)(1), the licensee requested NRC staff review and approval to adopt EALs based on NEI 99-01, Rev 5. The existing EAL scheme for the subject facilities is the NEI 99-01, Rev 4 methodology.

The purpose of this letter is to provide the results of the NRC staff's acceptance review of the proposed changes to the EP EALs. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its

M. Pacilio

- 2 -

detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

The NRC staff has reviewed your application, and concluded that it does provide technical information in sufficient detail to enable the staff to proceed with its detailed technical review, and make an independent assessment regarding the acceptability of the proposed changes in terms of regulatory requirements and the protection of public health and safety and the environment. If additional information is needed for the staff to complete its technical review, you will be advised by separate correspondence.

If you have any questions regarding this matter, I may be reached at (301) 415-1115 or via email at [nicholas.difrancesco@nrc.gov](mailto:nicholas.difrancesco@nrc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Nick DiFrancesco", followed by a small "for" in cursive.

Nicholas J. DiFrancesco, Project Manager  
Plant Licensing Branch III-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-456, 50-457, 50-454, 50-455,  
50-461, 50-237, 50-249, 50-373, 50-374, 50-352, 50-353,  
50-219, 50-277, 50-278, 50-254, 50-265, 50-289, and 50-320

cc: Distribution via Listserv

detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

The NRC staff has reviewed your application, and concluded that it does provide technical information in sufficient detail to enable the staff to proceed with its detailed technical review, and make an independent assessment regarding the acceptability of the proposed changes in terms of regulatory requirements and the protection of public health and safety and the environment. If additional information is needed for the staff to complete its technical review, you will be advised by separate correspondence.

If you have any questions regarding this matter, I may be reached at (301) 415-1115 or via email at [nicholas.difrancesco@nrc.gov](mailto:nicholas.difrancesco@nrc.gov).

Sincerely,

**/RA by C. Gratton for/**

Nicholas J. DiFrancesco, Project Manager  
Plant Licensing Branch III-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-456, 50-457, 50-454, 50-455,  
50-461, 50-237, 50-249, 50-373, 50-374, 50-352, 50-353,  
50-219, 50-277, 50-278, 50-254, 50-265, 50-289, and 50-320

cc: Distribution via Listserv

**DISTRIBUTION:**

PUBLIC	RidsNrrPMClinton Resource	RidsNrrLAABaxter Resource
LPL3-2 R/F	RidsNrrLaSalle Resource	RidsRgn1MailCenter Resource
LPL1-2 R/F	RidsNrrPMDresden Resource	RidsNrrDorLpl1-2 Resource
RidsRgn3MailCenter Resource	RidsNrrPMQuadCities Resource	JAnderson, NSIR
RidsNrrDorLpl3-2 Resource	RidsNrrPMJHughes Resource	RidsNrrPMEMiller Resource
RidsOgcRp Resource	RidsAcraAcnw_MailCenter Resource	RidsNrrLATHarris Resource
RidsNrrPMBraidwood Resource	RidsNrrPMPBamford Resource	RidsNrrDorDpr Resource
RidsNrrPMBayon Resource		

ADAMS Accession No. ML100880085

NRR-106 \*via email

OFFICE	LPL3-2/PM	LPL3-2/LA	NSIR/ORLOB/BC	LPL1-2/BC	LPL3-2/BC
NAME	CGratton for NDiFrancesco	THarris*	JAnderson*	HChernoff	RCarlson
DATE	07/21/10	07/14/10	07/13/10	07/20/10	07/21/10

OFFICIAL RECORD COPY