



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

May 20, 2010

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

**SUBJECT: OYSTER CREEK NUCLEAR GENERATING STATION – RE: LICENSE  
AMENDMENT REQUEST TO REVISE SECONDARY CONTAINMENT  
OPERABILITY REQUIREMENTS (TAC NO. ME2711)**

Dear Mr. Pardee:

By letter dated November 2, 2007, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML073180397), as supplemented by letters dated May 5, July 3, and September 22, 2008 (ADAMS Accession Nos. ML081330320, ML081930802, and ML082670773, respectively), Exelon Generation Company, LLC (Exelon) submitted a license amendment request (LAR) for the Oyster Creek Nuclear Generating Station. The proposed change would revise requirements associated with secondary containment integrity during refueling. In response to a Nuclear Regulatory Commission (NRC) staff request for additional information dated October 20, 2009 (ADAMS Accession No. ML092870578), Exelon made significant revisions to the supporting calculations and proposed Technical Specification (TS) pages. The revised calculations and TS pages were submitted to the NRC by letter dated November 13, 2009 (ADAMS Accession No. ML093220922). The November 13, 2009, submittal superseded the information in the November 2, 2007, application.

By letter dated April 21, 2010 (ADAMS Accession No. ML101121120), Exelon requested to withdraw the LAR, citing multiple reasons why approval of the LAR was no longer desired. The NRC acknowledges the request to withdraw the application. NRC activities on the review will be ceased and the Technical Assignment Control number will be closed.

Prior to your request for withdrawal of the submittal, the NRC staff had internally identified a number of issues that would have required resolution prior to LAR acceptance. It was the staff's intent to discuss these issues with you at the planned public meeting mentioned in a letter dated November 25, 2009, (ADAMS Accession No. ML093280336). These issues can be categorized into three main areas. The first involved several analytical assumptions and proposed TS changes that appeared to lack justification. The second encompassed proposed TS changes that might not provide adequate control of plant activities. The third included proposed TSs containing inconsistencies and conflicts.

As mentioned previously, these issues were to be discussed at a public meeting regarding the LAR, however, due to the withdrawal of the LAR, the public meeting will not be held. The NRC staff is, however, willing to host a public meeting to discuss these issues.

C. Pardee

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If you have any additional questions regarding this matter, I may be reached via telephone at (301) 415-2481.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Edward Miller". The signature is fluid and cursive, with a large initial "G" and a long, sweeping underline.

G. Edward Miller, Project Manager  
Plant Licensing Branch I-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-219

cc: Distribution via ListServ

If you have any additional questions regarding this matter, I may be reached via telephone at (301) 415-2481.

Sincerely,

*/ra/*

G. Edward Miller, Project Manager  
Plant Licensing Branch I-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

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**ADAMS Accession Number: ML101310174**

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