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USNRC

Nuclear

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January 3, 2011

January 4, 2011 (4:35pm)

Ms. Cindy Bladey, Chief
Rules, Announcements and Directives Branch
Division of Administrative Services
Office of Administration
Mail Stop: TWB-05-B01M
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Subject: Comments Concerning 10 CFR 26 Petition for Rulemaking, "Anthony R. Pietrangelo on Behalf of the Nuclear Energy Institute; Receipt of Petition for Rulemaking," (75FR65249, dated October 22, 2010) (Docket ID NRC-2010-0304)

Comments Concerning 10 CFR 26 Petition for Rulemaking, "Erik Erb; Notice of Receipt of Petition for Rulemaking," (75FR71368, dated November 23, 2010) (Docket ID NRC-2101- 0310)

This letter is being submitted in response to the U.S. Nuclear Regulatory Commission (NRC) request for comments concerning the two subject Petitions for Rulemaking (10 CFR 26 Petition for Rulemaking, "*Anthony R. Pietrangelo on Behalf of the Nuclear Energy Institute; Receipt of Petition for Rulemaking*," and 10 CFR 26 Petition for Rulemaking, "*Erik Erb; Notice of Receipt of Petition for Rulemaking*").

Under these Petitions for Rulemaking, the petitioners requested that the NRC amend its regulations regarding its fitness for duty programs to refine existing requirements based on experience gained since the regulations were last amended in 2009.

Exelon Generation Company, LLC (Exelon) appreciates the opportunity to comment on these Petitions for Rulemaking. Exelon endorses and fully supports the Petition for Rulemaking filed by the Nuclear Energy Institute (NEI) on behalf of the industry.

In addition, Exelon has concluded that the NEI Petition for Rulemaking requesting the NRC to replace its Minimum Days Off (MDO) requirements in 10 CFR 26.205(d) with a performance-based objective can adequately address the issues discussed in the Petition for Rulemaking filed by Mr. Erik Erb, which requests the NRC to decrease the MDO requirement for security officers working 12-hour shifts from an average of 3 days per week to 2.5 or 2 days per week for security personnel.

If you have any questions or require additional information, please do not hesitate to contact me at (630) 657-2833.

Respectfully,



J. L. Hansen
Manager - Licensing

Rulemaking Comments

From: Mendiola, Doris
Sent: Tuesday, January 04, 2011 4:25 PM
To: Rulemaking Comments
Subject: E110103t170000_110103a.pdf - Adobe Acrobat Professional
Attachments: E110103t170000_110103a.pdf

Received: from HQCLSTR02.nrc.gov ([148.184.44.77]) by TWMS01.nrc.gov
([148.184.200.145]) with mapi; Tue, 4 Jan 2011 16:24:31 -0500
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To: Rulemaking Comments <Rulemaking.Comments@nrc.gov>
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