



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

March 19, 2012

Mr. Michael J. Pacilio  
President and Chief Nuclear Officer  
Exelon Generation Company, LLC  
4300 Winfield Road  
Warrenville, IL 60555

SUBJECT: DRESDEN NUCLEAR POWER STATION, UNITS 2 AND 3 – REQUEST FOR EXEMPTION FROM 10 CFR 50, APPENDIX R, SECTION III.L - UNACCEPTABLE WITH THE OPPORTUNITY TO SUPPLEMENT (TAC NO. ME8008)

Dear Mr. Pacilio:

By letter to the U.S. Nuclear Regulatory Commission (NRC or Commission) dated February 13, 2012, Exelon Generation Company, LLC (EGC) submitted a request for exemption for Dresden Nuclear Power Station (DNPS), Units 2 and 3. The request would permanently exempt DNPS from the requirements Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Section III.L, "Alternative and dedicated shutdown capability," paragraph 4. The purpose of this letter is to provide the results of the NRC staff's acceptance review of this exemption request. 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 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.

Pursuant to 10 CFR 50.12, the Commission may, upon application by an interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR Part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. These circumstances include the special circumstances that application of the regulation is not necessary to achieve the underlying purpose of the rule.

The NRC staff has reviewed your application and concluded that the information delineated in the enclosure to this letter is necessary to enable the NRC staff to make an independent assessment regarding the acceptability of the exemption request in terms of regulatory requirements and the protection of the public health and safety and the environment.

In order to make the application complete, the NRC staff requests that EGC supplement the application to address the information request in the enclosure by March 19, 2012 (13 days after email date below). This will enable the NRC staff to complete its detailed technical review. If the information responsive to the NRC staff's request is not received by the above date, the application will not be accepted for review pursuant to 10 CFR 2.101, and the NRC staff will cease its review activities associated with the application. If the application is subsequently accepted for review, you will be advised of any further information needed to support the NRC staff's detailed technical review by separate correspondence.

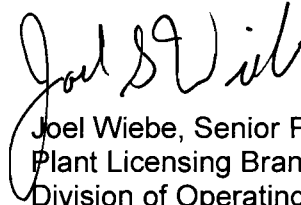
M. Pacilio

- 2 -

The information requested and the associated time frame were e-mailed to Joseph Bauer of your staff on March 2, 2012.

If you have any questions, please contact the Dresden Nuclear Power Station, Units 2 and 3, Project Manager, Joel Wiebe, at (301) 415-6606.

Sincerely,

A handwritten signature in black ink that reads "Joel Wiebe". The signature is written in a cursive style with a large, looping initial "J".

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

Docket Nos. 50-237 and 50-249

Enclosure:  
Request for Supplemental Information

cc: Distribution via Listserv

REQUEST FOR SUPPLEMENTAL INFORMATION

DRESDEN NUCLEAR POWER STATION, UNITS 2 AND 3

DOCKET NOS. 50-237 AND 50-249

In reviewing Exelon Generation Company's (EGC) submittal dated February 13, 2012, related to an exemption for Dresden Nuclear Power Station, Units 2 and 3 (DNPS), the NRC staff has determined that the following information is needed to complete its review:

Supplemental information required:

1. Provide a summary of the analysis used to determine that adequate time is available to ensure reliability in accordance with Section 4.2.2 of NUREG 1852. Include additional uncertainties and variability in the time required for manual actions that were considered.

In Part II of the submittal, "Bases for Exemption Request" section NUREG-1852 Guidance, the licensee cited NUREG-1852 as being germane to the subject exemption request with respect to feasibility and reliability criteria for competing manual actions similar to safe shutdown (SSD) activities.

NUREG-1852, Section 3.2.2, "Analysis Showing Adequate Time Available to Ensure Reliability" as referenced by the licensee, addresses the reliability of the operator manual actions. It states in part that adequate time should be available to account for uncertainties that may be encountered by the operator manual actions. In lieu of directly accounting for sources of uncertainty, the extra time should be sufficient to make up for uncertainties in estimates of the time available and the time it takes to diagnose and execute operator manual actions. For this exemption, reliability considerations for the travel to return to the plant are relevant.

2. Provide information concerning when, in a fire event, the operators would be directed to return to the plant (e.g., fire alarm sounding in an SSD-related fire area, verification of actual fire in a fire area containing SSD equipment, when a control room evacuation is required and procedure (and timeline) entry is required, or some other time.)

The information requested and the associated time frame were e-mailed to Joseph Bauer of your staff on March 2, 2012.

If you have any questions, please contact the Dresden Nuclear Power Station, Units 2 and 3, Project Manager, Joel Wiebe, at (301) 415-6606.

Sincerely, */RA/*

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

Docket Nos. 50-237 and 50-249

Enclosure:  
Request for Supplemental Information

cc: Distribution via Listserv

ADAMS Accession No. ML120600011

NRR-028

\*via email

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DATE	02/29/12	02/29/12	02/29/12	03/01/12	03/16/12	03/19/12

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