

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

William J. Froehlich, Chairman
Dr. Michael F. Kennedy
Dr. William E. Kastenber

In the Matter of
EXELON GENERATION COMPANY, LLC
(Limerick Generating Station, Units 1 and 2)

Docket Nos. 50-352-LR, 50-353-LR

ASLBP No. 12-916-04-LR-BD01

November 18, 2013

ORDER

(Denying Exelon's Petition for Certification of Waste Confidence-Related Question to the Commission)

On November 12, 2013, Exelon Generation Company, LLC ("Exelon") petitioned the Board to certify the following question to the Commission:

Given the advanced stage of its waste confidence rulemaking (*i.e.*, issuance of the Proposed Rule and supporting DGEIS), does the Commission intend to promptly authorize the Board to lift the abeyance on NRDC's Proposed Contention related to waste confidence issues, such that the Board may disposition the only remaining contention in the adjudicatory proceeding on Exelon's license renewal application for Limerick Generating Station, Units 1 and 2 ("Limerick")?¹

For the reasons stated in the Davis-Besse order² issued this day, Exelon's essentially identical

¹ Exelon's Petition for Certification of Waste Confidence-Related Question to the Commission Pursuant to 10 C.F.R. § 2.323(f)(2) at 2 (Nov. 12, 2013).

² Licensing Board Order (Denying FENOC's [FirstEnergy Nuclear Operating Company] Petition for Certification of Waste Confidence-Related Question to the Commission) (Nov. 18, 2013) (unpublished).

petition in this case is DENIED. Given this ruling, answers to Exelon's petition need not be filed.

It is so ORDERED.

THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

William J. Froehlich, Chairman
ADMINISTRATIVE JUDGE

/RA/

Dr. Michael F. Kennedy
ADMINISTRATIVE JUDGE

/RA/

Dr. William E. Kastenber
ADMINISTRATIVE JUDGE

Rockville, Maryland
November 18, 2013

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
Exelon Generation Company, LLC) Docket Nos. 50-352-LR and 50-353-LR
(Limerick Generating Station, Units 1 and 2))
) ASLBP No. 12-916-04-LR-BD01
(License Renewal))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Denying Exelon's Petition for Certification of Waste Confidence-Related Question to the Commission)** have been served upon the following persons by Electronic Information Exchange.

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Limerick Generating Station, Units 1 and 2, Docket Nos. 50-362-LR and 50-363-LR
ORDER (Denying Exelon's Petition for Certification of Waste Confidence-Related Question to the Commission)

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[Original signed by Herald M. Speiser ____]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 18th day of November, 2013