

## NOTICE OF VIOLATION

Exelon Generation Company, LLC  
Oyster Creek; Dresden Units 1, 2 & 3;  
Quad Cities Units 2 & 3; Clinton; Peach  
Bottom Units 1, 2, & 3; Limerick Units 1 & 2;  
Three Mile Island 1; LaSalle County Units 1 & 2;  
Byron Units 1 & 2; Braidwood Units 1 & 2;  
Salem Units 1 & 2; Zion Units 1 & 2

Docket Nos. 05000219, 0500010,  
05000237, 05000249,  
05000254, 5000265,  
05000461, 5000171,  
05000277, 000278,  
05000289, 05000352,  
05000353, 5000373,  
05000374, 5000454,  
05000455, 5000456,  
05000457, 5000272,  
05000311, 5000295,  
05000304

License Nos.

DPR-16, DPR-2,  
DPR-19, DPR-25,  
DPR-29, DPR-30,  
NPF-62, DPR-12,  
DPR-44, DPR-56,  
NPF-39, NPF-85,  
DPR-50, NPF-11,  
NPF-18, NPF-37,  
NPF-66, NPF-72,  
NPF-77

EA-11-267

During an NRC investigation completed on November 22, 2011, and a supplemental investigation completed on October 10, 2012, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 50.75(a) establishes requirements for indicating to the NRC how a licensee will provide reasonable assurance that funds will be available for the decommissioning process and states that for power reactor licensees, reasonable assurance consists of a series of steps as provided in paragraphs (b), (c), (e), and (f) of 10 CFR 50.75.

10 CFR 50.75(f)(2) states, in part, that power reactor licensees shall report at least every 2 years on the status of its decommissioning funding for each reactor or part of a reactor that it owns; and, that the information in this report must include, at a minimum, the amount of decommissioning funds estimated to be required pursuant to 10 CFR 50.75(b) and (c).

10 CFR 50.75(b)(1) states, in part, that for a holder of an operating license under 10 CFR Part 50, financial assurance for decommissioning shall be provided in an amount which may be more, but not less, than the amount stated in the table in paragraph (c)(1) adjusted using a rate at least equal to that stated in paragraph (c)(2).

10 CFR 50.75(c)(1) states the minimum amount required to demonstrate reasonable assurance of funds for decommissioning by reactor type and power level. 10 CFR 50.75(c)(2) requires, in part, that an adjustment factor be applied, which is based on

escalation factors for labor and energy, and waste burial.

10 CFR 50.9(a) states, in part, that information provided to the Commission by a licensee shall be complete and accurate in all material respects.

Contrary to the above, on March 31, 2005, March 31, 2006, March 31, 2007, and March 31, 2009, Exelon Generation Company, LLC (Exelon) provided information on the status of its decommissioning funding that was not complete and accurate in all material respects, when it submitted the decommissioning funding status (DFS) reports pursuant to 10 CFR 50.75. Specifically, the March 31, 2005, March 31, 2007, March 31, 2006, and March 31, 2009, DFS reports stated that the decommissioning funds estimated to be required for each of the reactors, as listed in the report, were determined in accordance with 10 CFR 50.75(b) and the applicable formulas of 10 CFR 50.75(c). However, in multiple instances, the amount reported was a discounted value that was less than the minimum required amount specified by 10 CFR 50.75(b) and (c).

This is a Severity Level IV violation. (Section 6.9)

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance was achieved is already adequately addressed on the docket in the information you provided at the predecisional enforcement conference on April 30, 2013. This document is available from the Agencywide Documents Access Management System (ADAMS) at Accession No. ML13129A081. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, EA-11-267" include the Enforcement Action number, and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Office Director, Office of Nuclear Reactor Regulation, and a copy to the NRC resident inspector at those facilities still owned by Exelon that are the subject of this Notice and which have resident inspector staffs, and a copy to the Office of Federal and State Materials and Environmental Management Programs project managers for those facilities that do not have resident inspector staffs, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U. S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

If you choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction.

Dated this 01 day of May 2014.