



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

September 11, 2015

Mr. Peter M. Orphanos
Vice President Nine Mile Point
Exelon Generation Company, LLC
Nine Mile Point Nuclear Station, LLC
P. O. Box 63
Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT NO. 2 – WITHDRAWAL OF REQUEST FOR RELIEF 21SI-012, END OF INTERVAL RELIEF REQUEST ASSOCIATED WITH THE SECOND 10-YEAR RISK- INFORMED ISI INSPECTIONS - RELIEF FROM THE REQUIREMENTS OF THE ASME CODE (TAC NO. MF5777)

Dear Mr. Orphanos:

By letter dated February 16, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15054A008), Exelon Generation Company, LLC (Exelon), submitted a request to the U.S. Nuclear Regulatory Commission (NRC) for relief from certain American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (B&PV Code), Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components" requirements at Nine Mile Point Nuclear Station, Unit 2. The status of the requested action was discussed by phone on June 1, 2015. Exelon subsequently withdrew the request by letter dated June 3, 2015 (ADAMS Accession No. ML15155A591).

Specifically pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 50.55a(g)(5)(iii), Exelon requested relief and to use alternative requirements for in-service inspection (ISI) items on the basis that the code requirement is impractical. This relief request applies to the second 10-year ISI interval, which began on April 5, 1998, and ended on April 4, 2008.

The regulation 10 CFR 50.55a(g)(5)(iii) states that "Requests for relief made in accordance with this section must be submitted to the NRC no later than 12 months after the expiration of the initial or subsequent 120-month inspection interval for which relief is sought." Exelon's request was submitted approximately seven years after the end of the interval for which relief was sought. Therefore, Exelon did not submit the relief request within the time interval specified in the regulation.

Because Exelon submitted the request contrary to the time period prescribed by 10 CFR 50.55a(g), TAC No. MF5777 has been closed and this matter was referred to the Region 1 Office for its review and action, as appropriate.

P.M. Orphanos

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If you have any questions, please contact the Project Manager for the Nine Mile Point Nuclear Station, Brenda Mozafari, at (301) 415-2020.

Sincerely,

A handwritten signature in black ink that reads "Benjamin G. Beasley". The signature is written in a cursive style with a long horizontal flourish at the end.

Benjamin G. Beasley, Chief
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-410

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P. M. Orphanos

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If you have any questions, please contact the Project Manager for the Nine Mile Point Nuclear Station, Brenda Mozafari, at (301) 415-2020.

Sincerely,

/RA/

Benjamin G. Beasley, Chief
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-410

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