

RS-15-249

September 9, 2015

U. S. Nuclear Regulatory Commission
ATTN: Regional Administrator Region III
2443 Warrenville Road Suite 210
Lisle, Illinois 60532

Clinton Power Station, Unit 1
Facility Operating License No. NPF-62
NRC Docket No. 50-461

Subject: Request for Extension to Submit an Appeal

- References:
- (1) Letter from Cynthia D. Pederson (NRC) to Bryan C. Hanson (Exelon Generation Company, LLC),, "Final Significance Determination of a White Finding with Assessment Followup and Notice of Violation; NRC inspection Report No. 05000461/2015009; Clinton Power Station," dated August 11, 2015
 - (2) Letter from Anne T. Boland (NRC) to Bryan C. Hanson (Exelon Generation Company, LLC),, "Clinton Power Station – NRC Integrated Inspection Report 05000461/2015001 and Preliminary White Finding," dated May 13, 2015

In Reference 1, the NRC provided the final significance determination of the preliminary White finding discussed in Reference 2. The finding involved the failure of the Division 3 Shutdown Service Water (SX) system pump to perform its intended safety function. Reference 1 went on to state that an appeal of the NRC's determination should be submitted within 30 calendar days from the date of Reference 1 (i.e., by September 10, 2015).

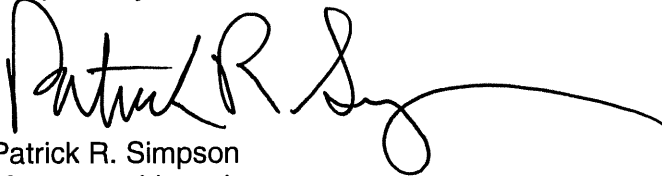
Exelon Generation Company, LLC, (EGC) requests an extension of 10 days from September 10, 2015, to submit an appeal. In its final determination, the NRC changed the performance deficiency from what was originally stated in Reference 1 based on the information shared at and following the June 25, 2015 Regulatory Conference. As a result, EGC is still evaluating the merits of an appeal for the basis of the White finding. Specifically, EGC is particularly concerned over the reasonableness of holding a licensee accountable for the actions of a qualified vendor manufacturing components under its own 10 CFR 50, Appendix B, quality assurance program who supplies a component (i.e., Division 3 SX pump) to a licensee that subsequently fails through no fault of the licensee. This determination by the NRC has the potential to set an adverse precedent for the nuclear industry with respect to the level of detail

June 24, 2015
U. S. Nuclear Regulatory Commission
Page 2

reasonable for a licensee to specify in a procurement document for a safety-related structure, system, or component. As such, EGC desires additional time to fully consider the ramifications of not appealing the NRC's final determination.

This letter contains no new regulatory commitments. If you have any questions concerning this letter, please contact me at (630) 657-2823.

Respectfully,

A handwritten signature in black ink, appearing to read "Patrick R. Simpson", with a long horizontal flourish extending to the right.

Patrick R. Simpson
Manager – Licensing
Exelon Generation Company, LLC

cc: NRC Document Control Desk
NRC Senior Resident Inspector – Clinton Power Station
Illinois Emergency Management Agency – Division of Nuclear Safety