

RS-15-284

October 28, 2015

Mr. Kenneth O'Brien
Director of Reactor Safety
U. S. Nuclear Regulatory Commission – Region III
2443 Warrenville Road, Suite 210
Lisle, IL 60532-4352

Subject: Annual Response to Confirmatory Order EA-13-068

References:

1. Letter from C. D. Pederson (NRC) to M. J. Pacilio (Exelon Generation Company, LLC (EGC)), "Confirmatory Order; NRC Report Nos. 05000237/2013407(DRS); 05000249/2013407(DRS) and Investigation Report No. 3-2012-020; Dresden Nuclear Power Station, Units 2 and 3," dated October 28, 2013
2. Letter from S. Marik (EGC) to C. D. Pederson (NRC), "Request for Relaxation of Condition V(A)(A.(1)) of Confirmatory Order EA-13-068," dated January 26, 2015
3. Letter from T. Domeyer (EGC) to J. Heck and S. Orth (NRC), "Supplemental Information for Relaxation of Condition V(A)(A.1(1)) of Confirmatory Order EA-13-068," dated April 13, 2015
4. Letter from C. D. Pederson (NRC) to B. C. Hanson (EGC), "Dresden Nuclear Power Station – Request for Relaxation of Confirmatory Order," dated May 4, 2015

The purpose of this letter is to provide a written status pursuant to Section V.C of the Confirmatory Order, which requires Exelon to submit a written status of the Confirmatory Order action items to the NRC Region III Director of Reactor Safety on an annual basis until all actions are complete. Accordingly, this status update is due on October 31, 2015. Reference 1 transmitted the Confirmatory Order, EA-13-068, which confirmed commitments made by Exelon Generation Company, LLC (EGC) to the NRC as part of a settlement agreement. EGC and NRC agreed to these commitments in an Alternate Dispute Resolution session conducted on September 18, 2013. In References 2 and 3, as a result of a proceeding before the National Labor Relations Board (NLRB) and subsequent settlement, EGC requested relaxation of Item V.A.1 of the Confirmatory Order to allow for rescission of Revision 10 of EGC Procedure SY-AA-103-513, "Behavioral Observation Program," which EGC implemented to comply with the requirements of Item V.A.1 of the Confirmatory Order, and allow for EGC and the International Brotherhood of Electrical Workers (IBEW), Local 15, to bargain over the revisions to SY-AA-103-513 required by Item V.A.1 of the Confirmatory Order. In response, the NRC relaxed Condition V.A.1 in Reference 4 to allow EGC until November 30, 2015 to revise SY-AA-103-513 in accordance with the requirements of V.A.1.

The bargaining between EGC and IBEW, Local 15 is complete. Minor changes to the language in Revision 10 of the Behavioral Observation Program to provide the additional guidance required by Item V.A.1 were negotiated, and a revision to SY-AA-103-513 that reflects these changes is currently under EGC review. This revision to SY-AA-103-513 will be completed prior to November 30, 2015, in accordance with the revised Confirmatory Order, Condition V.A.1. Training on these enhancements and a review of their effectiveness as required by the revised Confirmatory Order, Conditions VA.2 and VA.3, will be completed by January 15, 2016, and May 31, 2016, respectively.

Consistent with Confirmatory Order, Section V.C, EGC will provide the status of these remaining actions in its next status report.

This letter does not contain any new regulatory commitments. If you have any questions, please contact Tamra Domeyer at (630) 657-3753.

Respectfully,

A handwritten signature in black ink, appearing to read 'D M Gullott', with a long horizontal line extending to the right.

David M. Gullott
Manager - Licensing
Exelon Generation Company, LLC

cc: NRC Document Control Desk
Regional Administrator, NRC Region III
NRC Senior Resident Inspector – Dresden Nuclear Power Station