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U.S. Nuclear Regulatory Commission  
Washington, DC 20555  
ATTN: Document Control Desk

R.E. Ginna Nuclear Power Plant  
Renewed Facility Operating License No. DPR-18  
NRC Docket No. 50-244

Subject: Clarification to Reply to Notice of Violation 05000244/2019010-02

- References:
- 1) "R. E. Ginna Nuclear Power Plant – Design Bases Assurance Inspection (Teams) Report 05000244/2019010 and Notice of Violation," dated September 18, 2019
  - 2) Letter from Paul M. Swift (Exelon Generation Company, LLC) to U.S. Nuclear Regulatory Commission, "Reply to Notice of Violation 05000244/2019010-02," dated October 16, 2019

In Reference 1, the U.S. Nuclear Regulatory Commission identified a Notice of Violation (NOV) for the Ginna Nuclear Power Plant. This Green NOV (NOV 05000244/2019010-02) cited a violation of Title 10 of the Code of Federal Regulations (10 CFR), Part 50, Appendix B, Criterion III, "Design Control."

In Reference 2, Exelon Generation Company, LLC (EGC) contested this violation. As a clarification to Reference 2, Exelon is requesting the NRC to make a decision regarding EGC's claim that we meet our licensing basis. If the NRC concludes that we are not meeting our licensing basis and intends to maintain the NOV, then EGC contends that the NRC is imposing a backfit. EGC may then decide to appeal that NRC determination, using the provisions of the Backfit Rule (10 CFR 50.109).

Respectfully,

Paul M. Swift  
Site Vice President

cc: Director, Office of Enforcement  
Regional Administrator, Region 1  
NRC Resident Inspector

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