



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

April 20, 2020

LICENSEE: EXELON GENERATION COMPANY, LLC

FACILITIES: BRAIDWOOD STATION, UNIT 2; BYRON STATION, UNIT 2; CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT 1; LASALLE COUNTY STATION, UNIT 1; LIMERICK GENERATING STATION, UNIT 1; NINE MILE POINT NUCLEAR STATION, UNIT 2; QUAD CITIES NUCLEAR POWER STATION, UNIT 2; AND R. E. GINNA NUCLEAR POWER PLANT

SUBJECT: SUMMARY OF APRIL 15, 2020, MEETING WITH EXELON GENERATION COMPANY, LLC REGARDING A PLANNED REQUEST TO DEFER SUBMITTAL OF THE OWNER'S ACTIVITY REPORT (EPID L-2020-LRM-0032)

On April 15, 2020, a Category 1 public meeting was held via teleconference between the U.S. Nuclear Regulatory Commission (NRC) staff and representatives of Exelon Generation Company, LLC (Exelon). The purpose of the meeting was to discuss Exelon's planned request to defer submittal of the Owner's Activity Report (Form OAR-1) for the eight plants in its fleet that have Spring 2020 refueling outages. Specifically, the planned request would apply to Braidwood Station, Unit 2; Byron Station, Unit No. 2; Calvert Cliffs Nuclear Power Plant, Unit 1; LaSalle County Station, Unit 1; Limerick Generating Station, Unit 1; Nine Mile Point Nuclear Station, Unit 2; Quad Cities Nuclear Power Station, Unit 2; and R. E. Ginna Nuclear Power Plant. The meeting notice and agenda are available in Agencywide Documents Access and Management System (ADAMS) at Accession No. ML20105A162.

Background

Section 50.55a, "Codes and standards," of Title 10 of the *Code of Federal Regulations* (10 CFR) contains, in part, requirements for the use of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code) for the design, construction and inservice inspection (ISI) of nuclear power plants. Paragraph (b)(2)(xxxii) of 10 CFR 50.55a states, in part, that ISI summary reports shall be submitted to the NRC within 90 days of the completion of each refueling outage. Paragraph IWA-6230 of ASME Code, Section XI, requires licensees to complete Form OAR-1 within 90 days after the conclusion of a refueling outage. The report provides a summary of items with flaws or relevant conditions that required evaluation for continued service, and repair and replacement activities required for continued service that occurred during the refueling outage.

On January 31, 2020, the U.S. Department of Health and Human Services declared a public health emergency (PHE) for the United States to aid the nation's healthcare community in responding to the Coronavirus Disease 2019 (COVID-19). On April 9, 2020 (ADAMS Accession No. ML20098D975), the NRC issued identical letters to the Nuclear Energy Institute, Entergy

Nuclear, and Florida Power & Light Company describing an expedited process that licensees could use to request deferral of the Form OAR-1 submittals until after the PHE has ended.

The April 9, 2020, letters state that: "The NRC staff can approve a deferral of the 10 CFR 50.55a(b)(2)(xxxii) submission of OAR-1 where the licensee demonstrates a hardship without a compensating increase in the level of quality and safety as an alternative under 10 CFR 50.55a(z)(2)." The letters further state: "The NRC staff will consider granting deferrals of Form OAR-1 for up to 90 days after the PHE is ended but in no case later than the beginning of the subsequent refueling outage."

Discussion

Exelon stated that it planned to deviate from the April 9, 2020, letters. Specifically, Exelon stated it wanted to defer submittal of Form OAR-1 until the next refueling outages for each plant with a Spring 2020 refueling outage. Exelon stated this would allow them maximum resource flexibility. Exelon provided the following justification in advance of the meeting:

Exelon is requesting an alternate date for completion of the OAR-1. At the current time, the conclusion of the PHE cannot be accurately determined which ultimately impacts the scheduling of engineering and maintenance resources necessary to prepare this administrative report which will be called upon to complete the reports for multiple locations at the same time. Without the ability to provide a reasonable timeframe for scheduling personnel resources results in additional burden and cost to the site. Allowing a longer time period to schedule completion of the OAR-1 is less burdensome on plant resources. Additionally, the OAR-1 is an administrative report that has not impact on plant safety.

During the meeting, the NRC staff explained the process being developed to review requests submitted in accordance with the April 9, 2020, letters. Specifically, the staff considered the PHE to be the hardship that justified deferring submittal of Form OAR-1. Once the PHE ended, the hardship would no longer exist, and the reports should be completed within 90 days. However, in any case, the reports are expected to be submitted prior to the start of the next refueling outage, which could reduce the timeframe to prepare the report following the end of the PHE to less than 90 days should the PHE last for more than a year. The staff is developing a template safety evaluation that could expedite the processing of application under this process.

Exelon's proposal would require additional justification beyond just the PHE for the staff to approve the planned request. The NRC staff asked the licensee to further explain the hardship. Exelon indicated that some of its personnel (e.g., corporate staff and contractors) were involved in the development of the reports for each site. Thus, completing all eight reports in 90 days places an additional burden on these staff since the due dates are normally spread out over several months due to refueling outages occurring at different times. The staff indicated that additional justification may be needed to support deferral of the report submittals until the next refueling outages.

The NRC staff asked if Exelon considered requesting a staggered approach to submitting the reports. For example, could Exelon submit one report 90 days following the end of the PHE, the next report 120 days following the end of the PHE, etc. Exelon stated that it would consider this option. The staff noted that Exelon would still have to describe the hardship under this situation. The staff stated that this option would not qualify for the expedited process since it would require additional technical staff review. In addition, the staff informed Exelon that no decisions would be made during the meeting as to whether or not this option would be acceptable.

Please direct any inquiries to me at 301-415-1380, or Blake.Purnell@nrc.gov.

/RA/

Blake Purnell, Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-457, STN 50-454, 50-317,
50-373, 50-352, 50-410, 50-265,
and 50-244

Enclosure:
List of Attendees

cc: Listserv

LIST OF ATTENDEES

APRIL 15, 2020, MEETING WITH EXELON GENERATION COMPANY, LLC

Name	Affiliation
Blake Purnell	NRC
Nancy Salgado	NRC
Matthew Mitchell	NRC
David Rudland	NRC
Hipo Gonzalez	NRC
Thomas Loomis	Exelon
Shannon B Rafferty-Czincila	Exelon
Armando Johnson	Exelon
Sailaja Mokkalapati	Exelon
Mark Edward Weis	Exelon
Thomas Basso	Exelon/Nuclear Energy Institute
Brendan Casey	Exelon
Ramon Cruz	Exelon
Brandon Shultz	Exelon
Larry Smith	Exelon
Zoe Cox	Exelon
Jereme Greenblott	Exelon
Richard Schliessmann	Exelon

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EMiller, NRR
MMahoney, NRR

ADAMS Accession No.: ML20108F243 (Meeting Package)

ADAMS Accession No.: ML20108F090 (Meeting Summary)

ADAMS Accession No.: ML20105A162 (Meeting Notice)

OFFICE	NRR/DORL/LPL3/PM	NRR/DORL/LPL3/LA	NRR/DORL/LPL3/BC	NRR/DORL/LPL3/PM
NAME	BPurnell	SRohrer /c/ R	NSalgado	BPurnell
DATE	04/20/2020	04/20/2020	04/20/2020	04/20/2020

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