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To: ["Mitchel.Mathews@exeloncorp.com"](mailto:Mitchel.Mathews@exeloncorp.com); [Simpson, Lisa A.:\(Exelon Nuclear\)](#); Leslie.Holden@exeloncorp.com
Subject: Re: Acceptance Review for Byron Order EA-12-051, "Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation." (EPID L-2021-JLD-0005)
Date: Friday, March 19, 2021 12:17:41 PM

Mitch, Lisa, Leslie,

By letter dated February 23, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21054A218), Exelon Generation Company, LLC submitted a letter to the U.S. Nuclear Regulatory Commission (NRC) re: "Request for Rescission of NRC Orders EA-12-049, EA-12-051, and EA-13-109," as they apply for Byron Station, Unit Nos. 1 and 2 (Byron), and Dresden Nuclear Power Station, Units 2 and 3 (Dresden). The purpose of this memo is to provide the results of the NRC staff's acceptance review for **Byron Order EA-12-051**, "Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation." The NRC has designated this review as EPID L-2021-JLD-0005.

The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the request has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

The NRC staff has reviewed the request and concluded that it does provide technical information in sufficient detail to enable the NRC staff to complete its detailed technical review and make an independent assessment regarding the acceptability of the proposed request in terms of regulatory requirements and the protection of public health and safety and the environment. Given the lesser scope and depth of the acceptance review as compared to the detailed technical review, there may be instances in which issues that impact the NRC staff's ability to complete the detailed technical review are identified despite completion of an adequate acceptance review. If additional information is needed, you will be advised by separate correspondence.

Based on the information you provided in the request letter, the NRC staff had a follow-up exchange with your staff during a March 2, 2021, biweekly status call. Exelon requested for NRC approval by August 27, 2021, to support station decommissioning activities. The NRC staff explained that the NRC's decision to rescind Order EA-12-051 would only be completed following Exelon's submittal of the certification requirements of 10 CFR 50.82(a)(1)(ii), certifying to the NRC that the Byron reactors are permanently shut down and defueled and acknowledging that, in accordance with 10 CFR 50.82(a)(2), the Byron 10 CFR Part 50 license would no longer authorize operation of the reactor or emplacement or retention of fuel into the reactor vessel. The NRC staff estimates that a decision letter can be completed within 30 working days of docketing the final 10 CFR 50.82(a)(1)(ii) certification for both reactors at Byron.

The NRC staff have estimated the level of effort to complete this review to be approximately 60 hours. Should there be any emergent complexities or challenges that would cause changes to the initial forecasted completion date or significant changes in the forecasted hours, the reasons for the changes, along with the new estimates, will be communicated during the routine interactions with the assigned project manager.

If you have any questions, please contact me at (301) 415-1129.

Thank you.

Russell S. Haskell II

United States Nuclear Regulatory Commission (NRC)

Licensing Project Manager - NRR/DORL/LPL 3

Dresden Nuclear Power Station, Units 2 and 3

Point Beach Nuclear Plant, Units 1 and 2

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