

From: Scott Wall
Sent: Thursday, August 24, 2023 2:40 PM
To: Loomis, Thomas R:(Constellation)
Subject: Constellation Energy Generation, LLC – Fleet Request – Acceptance of Alternative Request to Use Updated BWRVIP Guidelines (EPID No. L-2023-LLR-0041)

Dear Mr. Loomis:

By letter dated August 4, 2023 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML23216A004), Constellation Energy Generation, LLC (CEG, the licensee) submitted a request in accordance with Paragraph 50.55a(z)(1) of Title 10 of the *Code of Federal Regulations* (10 CFR) for a proposed alternative to the requirements of 10 CFR 50.55a and the American Society of Mechanical Engineers Code at the following sites:

- James A. FitzPatrick Nuclear Power Plant
- LaSalle County Station, Units 1 and 2
- Limerick Generating Station, Units 1 and 2
- Nine Mile Point Nuclear Station, Units 1 and 2
- Peach Bottom Atomic Power Station, Units 2 and 3

The proposed alternative would allow the licensee to use more recent versions of certain Boiling Water Reactor Vessel and Internals Project guidelines for each of these facilities.

The purpose of this e-mail is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of these relief requests. 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 application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant. Pursuant to Sections 50.55a(z)(1) and 50.55a(z)(2) of Title 10 of the Code of Federal Regulations (10 CFR), the applicant shall demonstrate that the proposed alternatives would provide an acceptable level of quality and safety, or that compliance with the specified requirements of Section 50.55a would result in hardship or unusual difficulty without a compensating increase in the level of quality or safety.

The NRC staff has reviewed your application 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 exemption 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 provided in your submittal, the NRC staff has estimated that this review will take approximately **75 hours** to complete. The NRC staff expects to complete this review by **February 1, 2024**. If there are emergent complexities or challenges in our review 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.

These estimates are based on the NRC staff's initial review of the application and they could change, due to several factors including requests for additional information, and unanticipated addition of scope to the review. Additional delay may occur if the submittal is provided to the NRC in advance or in parallel with industry program initiatives or pilot applications.

If you have any questions, please contact me at (301) 415-2855 or e-mail at Scott.Wall@nrc.gov.

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