



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

January 12, 2001

Mr. Oliver D. Kingsley, President  
Nuclear Generation Group  
Commonwealth Edison Company  
Executive Towers West III  
1400 Opus Place, Suite 500  
Downers Grove, IL 60515

SUBJECT: DRESDEN NUCLEAR POWER STATION, UNITS 1, 2, AND 3 - ISSUANCE OF  
CONFORMING AMENDMENT RE: TRANSFER OF LICENSES TO EXELON  
GENERATION COMPANY, LLC (TAC NOS. MB0824, MB0810, AND MB0811)

Dear Mr. Kingsley:

By application dated December 20, 1999, as supplemented January 14, March 10, March 23, March 29, and June 16, 2000, Commonwealth Edison Company (ComEd) requested approval of the transfer of ComEd's interests in the Title 10 *Code of Federal Regulations* Part 50 Facility Operating Licenses for Dresden Nuclear Power Station, Units 1, 2 and 3 to a new generating company, Exelon Generation Company, LLC (Exelon Generation Company) pursuant to Section 50.80 of Title 10 of the *Code of Federal Regulations*. ComEd requested the NRC's consent to authorize Exelon Generation Company to acquire the Dresden facility, and to use and operate Units 2 and 3. The application also requested NRC approval of conforming license amendments. On August 3, 2000, the NRC issued Orders approving the transfer. The Orders also approved conforming license amendments to be issued at the time the transfers were completed.

In a letter dated December 21, 2000, ComEd notified the NRC that the closing of the license transfers was anticipated to occur as early as January 5, 2001. In a subsequent telephone call your staff indicated that the transfers would occur on January 10, 2001.

By letter dated January 5, 2001, Exelon Generating Company provided documentary evidence that it has obtained the appropriate amount of insurance required by 10 CFR Part 140.

Accordingly, the Commission has issued the enclosed Amendment No. 40 to Facility Operating License No. DPR-2, Amendment No. 183 to Facility Operating License DPR-19, and Amendment No. 178 to Facility Operating License DPR-25 for Dresden Nuclear Power Station, Units 1, 2, and 3, respectively. The conforming amendments reflect the transfer of ComEd's ownership of these units from ComEd to Exelon Generation Company. The safety evaluation supporting the conforming amendments was enclosed with the Orders issued on August 3, 2000.

Mr. Oliver D. Kingsley

- 2 -

Enclosure 4 contains three copies of Indemnity Agreement No. B-10 Amendment No. 25, which is required in connection with the transfer of the license. Please keep two copies for your records and sign and return the other copy.

Notice of Issuance will be included in the Commission's Biweekly *Federal Register* Notice.

Sincerely,



Lawrence W. Rossbach, Project Manager, Section 2  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-10, 50-237,  
and 50-249

Enclosures: 1. Amendment No. 40 to DPR-2  
2. Amendment No. 183 to DPR-19  
3. Amendment No. 178 to DPR-25  
4. Indemnity Agreement

cc w/encls: See next page

Mr. Oliver D. Kingsley

- 2 -

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/RA/

Lawrence W. Rossbach, Project Manager, Section 2  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

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and 50-249

Enclosures: 1. Amendment No. 40 to DPR-2  
2. Amendment No. 183 to DPR-19  
3. Amendment No. 178 to DPR-25  
4. Indemnity Agreement

cc w/encls: See next page

DISTRIBUTION:

PUBLIC	P Ray	SCollins/RZimmerman
PDIII/2 r/f	Amendiola	ACRS
GDick	OGC	GGrant, RIII
THarris	GHill	OPA
MMcAllister	WBeckner	
LRossbach	VDricks	

\*See previous concurrence

OFFICE	PM:LPD3	LA:LPD3	LA:LPD4	PM:LPD3	PM:LPD3	SC:LPD3
NAME	GDick	THarris	*EPeyton	P Ray	LRossbach	MMaspin
DATE	01/09/01	01/9/01	01/08/01	01/9/01	01/9/01	01/9/01

OFFICE	SC:LPD3	D:NRR
NAME	Amendiola	SCollins
DATE	01/9/01	01/8/01

DOCUMENT NAME: G:\PDIII-2\dresden\license.xfer.conforming.amend.wpd  
OFFICIAL RECORD COPY

O. Kingsley  
Commonwealth Edison Company

Dresden Nuclear Power Station  
Units 2 and 3

cc:

Commonwealth Edison Company  
Site Vice President - Dresden  
6500 N. Dresden Road  
Morris, Illinois 60450-9765

Commonwealth Edison Company  
Dresden Station Manager  
6500 N. Dresden Road  
Morris, Illinois 60450-9765

U.S. Nuclear Regulatory Commission  
Dresden Resident Inspectors Office  
6500 N. Dresden Road  
Morris, Illinois 60450-9766

Regional Administrator  
U.S. NRC, Region III  
801 Warrenville Road  
Lisle, Illinois 60532-4351

Illinois Department of Nuclear Safety  
Office of Nuclear Facility Safety  
1035 Outer Park Drive  
Springfield, Illinois 62704

Chairman  
Grundy County Board  
Administration Building  
1320 Union Street  
Morris, Illinois 60450

Document Control Desk-Licensing  
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Downers Grove, Illinois 60515

Commonwealth Edison Company  
Reg. Assurance Manager - Dresden  
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Morris, Illinois 60450-9765

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Senior Vice President  
Commonwealth Edison Company  
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Ms. Pamela B. Stroebel  
Senior Vice President and General Counsel  
Commonwealth Edison Company  
P.O. Box 767  
Chicago, Illinois 60690-0767



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

COMMONWEALTH EDISON COMPANY

DOCKET NO. 50-10

DRESDEN NUCLEAR POWER STATION, UNIT 1


AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 40  
License No. DPR-2

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment filed by the Commonwealth Edison Company (the licensee), dated December 20, 1999, as supplemented January 14, March 10, March 23, March 29 and June 16, 2000, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I;
  - B. The facility will be maintained in conformity with the application, the provisions of the Act, and the regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, Facility Operating License No. DPR-2 is amended as indicated in the attachment to this license amendment.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Samuel J. Collins, Director  
Office of Nuclear Reactor Regulation

Attachments: Changes to the License

Date of Issuance: January 12, 2001

ATTACHMENT TO LICENSE AMENDMENT NO. 40

FACILITY OPERATING LICENSE NO. DPR-2

DOCKET NO. 50-10

Revise the License by removing the pages identified below and inserting the attached pages. The revised pages are identified by the captioned amendment number and contain marginal lines indicating the area of change.

Remove Pages

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Appendix A cover page

Insert Pages

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Appendix A cover page



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

EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-10

AMENDED FACILITY OPERATING LICENSE

Amendment No. 9  
License No. DPR-2

1. The Atomic Energy Commission (the Commission) has found that:
  - A. The application, as amended, for license filed by the applicant\* complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made;
  - B. Construction of the Dresden Nuclear Power Station, Unit 1 has been substantially completed in conformity with Construction Permit No. CPPR-2 and the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
  - C. The facility will be maintained in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
  - D. There is reasonable assurance: (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
  - E. Exelon Generation Company, LLC is technically and financially qualified to engage in the activities authorized by this operating license in accordance with the rules and regulations of the Commission;
  - F. Exelon Generation Company, LLC has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission regulations;

\*The Nuclear Regulatory Commission approved the transfer of the license from Commonwealth Edison Company to Exelon Generation Company, LLC on August 3, 2000.



- G. The issuance of this operating license will not be inimical to the common defense and security or to the health and safety of the public and does not involve a significant hazards consideration, and
  - H. The receipt, possession, and use of byproduct, source and special nuclear materials as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40 and 70, including Sections 30.33, 40.32, 70.23, and 70.31.
2. Facility Operating License No. DPR-2 issued to Exelon Generation Company, LLC (the licensee) is hereby amended in its entirety to read as follows:
- A. This license applies to Dresden Nuclear Power Station Unit 1 dual-cycle, boiling water reactor (herein the facility), owned by the licensee. The facility is located in Grundy County, Illinois, and is described in the application attested to on May 31, 1955, and subsequent amendments thereto, including the amendment dated May 17, 1973.
  - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Exelon Generation Company, LLC:
    - (1) Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess and maintain but not to operate the facility at the designated location in Grundy County, Illinois, in accordance with the procedures and limitations set forth in the license;
    - (2) Pursuant to the Act and 10 CFR Part 70, to possess at any time special nuclear materials, not including plutonium, as reactor fuel, in accordance with limitations for storage as described in Hazards Summary Report (Final Safety Analysis Report), as supplemented and amended as of September 3, 1976;
    - (3) Pursuant to the Act and 10 CFR Part 70, to possess at any time up to 6631 grams of plutonium utilized in previous operations of the facility.
    - (4) Pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess at any time any byproduct, source and special nuclear materials as sealed neutron sources and as fission detectors in amounts required, and to receive, possess and use sealed sources for reactor instrumentation and radiation monitoring equipment calibration.

- (5) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear materials without restriction to chemical or physical form, for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components;
- (6) Pursuant to the Act and 10 CFR Parts 30 and 70, possess, but not separate, such byproduct and special nuclear materials which have been produced by the operation of the facility.

C. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70, is subject to all applicable provisions of the Act and to the rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Deleted

(2) Technical Specifications

The Technical Specifications contained in Appendix A as revised through Amendment No. 40, are hereby incorporated in the license. The licensee shall maintain the facility in accordance with the Technical Specifications.

(3) Deleted

(4) Deleted

(5) Deleted

(6) Deleted

(7) Exelon Generation Company, LLC shall provide the Director of the Office of Nuclear Reactor Regulation, a copy of any application, at the time it is filed, to transfer (excluding grants of security interests or liens) from Exelon Generation Company, LLC to its direct or indirect parent, or to any other affiliated company, facilities for the production, transmission, or distribution of electric energy having a depreciated book value exceeding ten percent (10%) of Exelon Generation Company, LLC's consolidated net utility plant, as recorded on Exelon Generation Company, LLC's books of account.

- (8) Exelon Generation Company, LLC shall have decommissioning trust funds for Dresden, Unit 1, in the following minimum amount, when Dresden, Unit 1, is transferred to Exelon Generation Company, LLC:

Dresden Unit 1	\$92,836,082
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- (9) The decommissioning trust agreement for Dresden, Unit 1, at the time the transfer of the unit to Exelon Generation Company, LLC is effected and thereafter, is subject to the following:

- (a) The decommissioning trust agreement must be in a form acceptable to the NRC.
- (b) With respect to the decommissioning trust fund, investments in the securities or other obligations of Exelon Corporation or affiliates thereof, or their successors or assigns are prohibited. Except for investments tied to market indexes or other non-nuclear sector mutual funds, investments in any entity owning one or more nuclear power plants are prohibited.
- (c) The decommissioning trust agreement for Dresden, Unit 1, must provide that no disbursements or payments from the trust shall be made by the trustee unless the trustee has first given the Director of the Office of Nuclear Reactor Regulation, 30 days prior written notice of payment. The decommissioning trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the NRC.
- (d) The decommissioning trust agreement must provide that the agreement cannot be amended in any material respect without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.
- (e) The appropriate section of the decommissioning trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trust shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.

- (10) Exelon Generation Company, LLC shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for approval of the transfer of the Dresden, Unit 1, license and the requirements of the Order approving the transfer, and consistent with the safety evaluation supporting the Order.

**Appendix A**

**to**

**Amended Facility License DPR-2**

**Technical Specifications and Bases For**

**Dresden Nuclear Power Station Unit 1**

**Grundy County, Illinois**

**Exelon Generation Company, LLC**

**Docket No. 50-10**

**Date: September 3, 1993**



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

COMMONWEALTH EDISON COMPANY

DOCKET NO. 50-237

DRESDEN NUCLEAR POWER STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 183  
License No. DPR-19

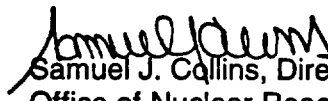
1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment filed by the Commonwealth Edison Company (the licensee), dated December 20, 1999, as supplemented January 14, March 10, March 23, March 29 and June 16, 2000, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the Facility Operating License No. DPR-19 is amended as indicated in the attachment to this license amendment and paragraph 2.C.(2) of Facility Operating License No. DPR-19 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 183, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Samuel J. Collins, Director  
Office of Nuclear Reactor Regulation

Attachment: Changes to the License

Date of Issuance: January 12, 2001

**ATTACHMENT TO LICENSE AMENDMENT NO. 183**

**FACILITY OPERATING LICENSE NO. DPR-19**

**DOCKET NO. 50-237**

Revise the License by removing the pages identified below and inserting the attached pages. The revised pages are identified by the captioned amendment number and contain marginal lines indicating the area of change.

**Remove Pages**

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Appendix B, Page 1

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Appendix B, Page 1



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

EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-237

DRESDEN NUCLEAR POWER STATION, UNIT 2

FACILITY OPERATING LICENSE

License No. DPR-19

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for a license filed by the applicant\* complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I, and all required notifications to other agencies or bodies have been duly made;
  - B. Construction of the Dresden Nuclear Power Station, Unit 2 (the facility) has been completed in conformity with Construction Permit No. CPPR-18 and the application, as amended, the provisions of the Act, and the regulations of the Commission, and has been operating under a provisional license since December 22, 1969;
  - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission (except as exempted from compliance in Section 2.D. below);
  - D. There is reasonable assurance (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I (except as exempted from compliance in Section 2.D. below);
  - E. Exelon Generation Company is technically qualified to engage in the activities authorized by this license, as amended, in accordance with the Commission's regulations set forth in 10 CFR Chapter I;
  - F. Exelon Generation Company has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
  - G. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public;

\*The Nuclear Regulatory Commission approved the transfer of the license from Commonwealth Edison Company to Exelon Generation Company, LLC on August 3, 2000.



- H. The issuance of this license is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied; and
  - I. The receipt, possession, and use of source, byproduct and special nuclear materials as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40 and 70.
2. Provisional Operating License No. DPR-19, dated December 22, 1969, as amended, is superseded in its entirety by Facility Operating License No. DPR-19 hereby issued to Exelon Generation Company, LLC (EGC or the licensee) to read as follows:
- A. This license applies to the Dresden Nuclear Power Station, Unit 2, a boiling water reactor and associated equipment (the facility). The facility is located in Grundy County, Illinois, and is described in the licensee's Updated Final Safety Analysis Report, as supplemented and amended, and in the licensee's Environmental Report, as supplemented and amended.
  - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:
    - (1) Exelon Generation Company, LLC, pursuant to Section 104b of the Act and 10 CFR Part 50, to possess, use and operate the facility at the designated location in Grundy County, Illinois, in accordance with the procedures and limitations set forth in this license;
    - (2) Exelon Generation Company, LLC, pursuant to the Act and 10 CFR Part 70, to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Updated Final Safety Analysis Report, as supplemented and amended;
    - (3) Exelon Generation Company, LLC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required.
    - (4) Exelon Generation Company, LLC, pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and

- (5) Exelon Generation Company, LLC, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate, such byproduct special nuclear materials as may be produced by the operation of the facility.

C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and the rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 2527 megawatts thermal (100 percent rated power) in accordance with the conditions specified herein.

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 183, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

- (3) Operation in the coastdown mode is permitted to 40% power.

- (4) The valves in the equalizer piping between the recirculation loops shall be closed at all times during reactor operation.

- (5) The licensee shall maintain the commitments made in response to the March 14, 1983, NUREG-0737 Order, subject to the following provision:

The licensee may make changes to commitments made in response to the March 14, 1983, NUREG-0737 Order without prior approval of the Commission as long as the change would be permitted without NRC approval, pursuant to the requirements of 10 CFR 50.59. Consistent with this regulation, if the change results in an Unreviewed Safety Question, a license amendment shall be submitted to the NRC staff for review and approval prior to implementation of the change.

(6) Surveillance Requirements

The Surveillance Requirements contained in Appendix A Technical Specifications and listed below are not required to be performed immediately upon implementation of Amendment No. 150:

- a. Surveillance Requirement 4.1.A.2 - RPS Logic System Functional Test
- b. Surveillance Requirement 4.2.A.2 - Primary & Secondary Containment Logic System Functional Test
- c. Surveillance Requirement 4.2.J.2 - Feedwater Pump Trip Logic System Functional Test
- d. Surveillance Requirement 4.6.F.1.b - Relief Valve Logic System Functional Test
- e. Surveillance Requirement 4.9.A.9 - Simultaneous Diesel Generator Start
- f. Surveillance Requirement 4.9.A.10 - Diesel Storage Tank Cleaning (Unit 3 and Unit 2/3 only)

Each of the above Surveillance Requirements shall be successfully demonstrated prior to entering into MODE 2 on the first plant startup following the fifteenth refueling outage (D2R15).

(7) Additional Conditions

The Additional Conditions contained in Appendix B, as revised through Amendment No. 163, are hereby incorporated into this license. The licensee shall operate the facility in accordance with the Additional Conditions.

(8) Pressure-Temperature Limit Curves

The pressure-temperature (P-T) limit curves issued by Amendment No. 179 are approved for use until November 30, 2001, unless Exelon Generation Company, LLC, the licensee, obtains approval from the Nuclear Regulatory Commission staff for use beyond November 30, 2001.

(9) Fuel Burnup

The maximum rod average burnup for any rod shall be limited to 60 GWD/MTU until the completion of an NRC environmental assessment supporting an increased limit.

(10) Exelon Generation Company, LLC shall provide the Director of the Office of Nuclear Reactor Regulation a copy of any application, at the time it is filed, to transfer (excluding grants of security interests or liens) from Exelon Generation Company, LLC to its direct or indirect parent, or to any other affiliated company, facilities for the production, transmission, or distribution of electric energy having a depreciated book value exceeding ten percent (10%) of Exelon Generation Company, LLC's consolidated net utility plant, as recorded on Exelon Generation Company, LLC's books of account.

(11) Exelon Generation Company, LLC shall have decommissioning trust funds for Dresden, Unit 2, in the following minimum amount, when Dresden, Unit 2, is transferred to Exelon Generation Company, LLC:

Dresden, Unit 2	\$288,233,336
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(12) The decommissioning trust agreement for Dresden, Unit 2, at the time the transfer of the unit to Exelon Generation Company, LLC is effected and thereafter, is subject to the following:

- (a) The decommissioning trust agreement must be in a form acceptable to the NRC.
- (b) With respect to the decommissioning trust fund, investments in the securities or other obligations of Exelon Corporation or affiliates thereof, or their successors or assigns are prohibited. Except for investments tied to market indexes or other non-nuclear sector mutual funds, investments in any entity owning one or more nuclear power plants are prohibited.
- (c) The decommissioning trust agreement for Dresden, Unit 2, must provide that no disbursements or payments from the trust shall be made by the trustee unless the trustee has first given the Director of the Office of Nuclear Reactor Regulation 30 days prior written notice of payment. The decommissioning trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the NRC.
- (d) The decommissioning trust agreement must provide that the agreement can not be amended in any material respect without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.
- (e) The appropriate section of the decommissioning trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trust shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.

- (13) Exelon Generation Company, LLC shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for approval of the transfer of the Dresden, Unit 2, license and the requirements of the Order approving the transfer, and consistent with the safety evaluation supporting the Order.

- D. The facility has been granted certain exemptions from the requirements of Section III.G of Appendix R to 10 CFR Part 50, "Fire Protection Program for Nuclear Power Facilities Operating Prior to January 1, 1979." This section relates to fire protection features for ensuring the systems and associated circuits used to achieve and maintain safe shutdown are free of fire damage. These exemptions were granted and sent to the licensee in letters dated February 2, 1983, September 28, 1987, July 6, 1989, and August 15, 1989.

In addition, the facility has been granted certain exemptions from Sections II and III of Appendix J to 10 CFR Part 50, "Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors." This section contains leakage test requirements, schedules and acceptance criteria for tests of the leak-tight integrity of the primary reactor containment and systems and components which penetrate the containment. These exemptions were granted and sent to the licensee in a letter dated June 25, 1982.

These exemptions granted pursuant to 10 CFR 50.12 are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security. With these exemptions, the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

- E. The licensee shall implement and maintain in effect all provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report for the facility and as approved in the Safety Evaluation Reports dated March 22, 1978 with supplements dated December 2, 1980, and February 12, 1981; January 19, 1983; July 17, 1987; September 28, 1987; and January 5, 1989, subject to the following provision:

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

- F. The licensee shall fully implement and maintain in effect all provisions of the Commission approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Dresden Nuclear Power Station Security Plan," with revisions submitted through October 30, 1990; "Dresden Nuclear Power Station Security Personnel Training and Qualification Plan," with revisions submitted through October 30, 1990; and "Dresden Nuclear Power Station Safeguards Contingency Plan," with revisions submitted through October 30, 1990. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.
- G. The licensee shall report any violations of the requirements contained in Section 2, Items C(1), C(3), and C(4) of this license in the following manner: initial notification shall be made within 24 hours to the NRC Operations Center via the Emergency Notification System with written follow-up within 30 days in accordance with the procedures described in 10 CFR 50.73(b), (c), and (e).
- H. The licensee shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

## APPENDIX B

### ADDITIONAL CONDITIONS

#### FACILITY OPERATING LICENSE NO. DPR-19

The licensee shall comply with the following conditions on the schedules noted below:

<u>Amendment Number</u>	<u>Additional Condition</u>	<u>Implementation Date</u>										
157	The license is amended to authorize changing the UFSAR to allow credit for containment overpressure as detailed below, to assure adequate Net Positive Suction Head is available for low pressure Emergency Core Cooling System pumps following a design basis accident.	Effective as of the issuance of Amendment No. 157 and shall be implemented within 30 days.										
	<table><tr><th><u>Time (seconds)</u></th><th><u>Containment Pressure (PSIG)</u></th></tr><tr><td>0-240</td><td>9.5</td></tr><tr><td>240-480</td><td>2.9</td></tr><tr><td>480-6000</td><td>1.9</td></tr><tr><td>6000-accident end</td><td>2.5</td></tr></table>	<u>Time (seconds)</u>	<u>Containment Pressure (PSIG)</u>	0-240	9.5	240-480	2.9	480-6000	1.9	6000-accident end	2.5	
<u>Time (seconds)</u>	<u>Containment Pressure (PSIG)</u>											
0-240	9.5											
240-480	2.9											
480-6000	1.9											
6000-accident end	2.5											
157	The EOPs shall be changed to alert operator to NPSH concerns and to make containment spray operation consistent with the overpressure requirements for NPSH.	Shall be implemented within 30 days after issuance of Amendment No. 157.										
160	This amendment authorizes the licensee to incorporate in the Updated Final Safety Analysis Report (UFSAR), the description of the Reactor Coolant System design pressure, temperature and volume that was removed from Technical Specification Section 5.4, and evaluated in a safety evaluation dated June 12, 1997.	30 days from the date of issuance of Amendment No. 160.										
163	The licensee shall review the Dresden Operation Annunciator and General Abnormal Conditions Procedures and revise them as required to ensure operator action is taken in a timely manner to limit occupational doses and environmental releases.	60 days from the date of issuance of Amendment No. 163										



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

COMMONWEALTH EDISON COMPANY

DOCKET NO. 50-249

DRESDEN NUCLEAR POWER STATION, UNIT 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 178  
License No. DPR-25

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment filed by the Commonwealth Edison Company (the licensee), dated December 20, 1999, as supplemented January 14, March 10, March 23, March 29 and June 16, 2000, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the Facility Operating License No. DPR-25 is amended as indicated in the attachment to this license amendment and paragraph 3.B. of Facility Operating License No. DPR-25 is hereby amended to read as follows:




B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 178, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Samuel J. Collins, Director  
Office of Nuclear Reactor Regulation

Attachment: Changes to the License

Date of Issuance: January 12, 2001

**ATTACHMENT TO LICENSE AMENDMENT NO. 178**

**FACILITY OPERATING LICENSE NO. DPR-25**

**DOCKET NO. 50-249**

Revise the License by removing the pages identified below and inserting the attached pages. The revised pages are identified by the captioned amendment number and contain marginal lines indicating the area of change.

**Remove Pages**

1  
2  
3a  
4  
5  
6  
---

Appendix B page 1

**Insert Pages**

1  
2  
3a  
4  
5  
6  
7

Appendix B page 1



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

EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-249

FACILITY OPERATING LICENSE

License No. DPR-25

The Atomic Energy Commission (the Commission) has found that:

- a. The applicant\* has submitted to the Commission all technical information required by Provisional Construction Permit No. CRR-22, the Atomic Energy Act of 1954, as amended (the Act), and the rules and regulations of the Commission to complete the application for a construction permit and facility license dated February 10, 1966, as supplemented by application for a facility license dated November 17, 1967 and amended by Amendment Nos. 8 through 24, dated August 30, 1968, November 21, 1968, February 28, 1969, March 18, 1969, April 16, 1969, May 20, 1969, July 2, 1969, July 22, 1969, August 5, 1969, August 8, 1969, August 10, 1969, August 18, 1969, September 2, 1969, October 16, 1969, May 7, 1970, August 11, 1970 and September 4, 1970, respectively (the application); and supplemented by the applicant's letter dated December 17, 1970, and telegram dated December 18, 1970;
- b. The Dresden Nuclear Power Station Unit 3 (the facility) has been substantially completed in conformity with Provisional Construction Permit No. CRR-22, the application, the provisions of the Act and the rules and regulations of the Commission;
- c. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
- d. There is reasonable assurance: (i) that the facility can be operated at power levels not in excess of 2527 megawatt (thermal) in accordance with this license without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
- e. Exelon Generation Company, LLC is technically and financially qualified to engage in the activities authorized by this operating license; in accordance with the rules and regulations of the Commission;

\*The Nuclear Regulatory Commission approved the transfer of the license from Commonwealth Edison Company to Exelon Generation Company, LLC on August 3, 2000.

- f. Exelon Generation Company, LLC has furnished proof of financial protection to satisfy the requirements of 10 CFR Part 140;
- g. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public;

Facility Operating License No. DPR-25 is hereby issued to Exelon Generation Company, LLC (EGC or the licensee), as follows:

- 1. The license applies to Dresden Nuclear Power Station, Unit 3, a single cycle, boiling, light water reactor, and electric generating equipment (the facility). The facility is located at the Dresden Nuclear Power Station in Grundy County, Illinois, and is described in the "Safety Analysis Report," as supplemented and amended (Amendment Nos. 8 through 24).
- 2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Exelon Generation Company, LLC:
  - A. Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility as a utilization facility at the designated location at the Dresden Nuclear Power Station;
  - B. Pursuant to the Act and 10 CFR Part 70, to receive, possess and use at any time special nuclear materials, not including plutonium, as reactor fuel, in accordance with the limitations for storage and amounts required for operation as described in the Final Safety Analysis Report, as supplemented and amended as of September 3, 1976;
  - C. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use at any time any byproduct, source and special nuclear materials as sealed neutron sources for reactor startup, scaled sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts required;
  - D. Pursuant to the Act and the 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear materials without restriction to chemical or physical form, for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components;

A. Maximum Power Level

The licensee is authorized to operate the facility at steady state power levels not in excess of 2527 megawatts (thermal), except that the licensee shall not operate the facility at power levels in excess of five (5) megawatts (thermal), until satisfactory completion of modifications and final testing of the station output transformer, the auto-depressurization interlock, and the feedwater system, as described in the licensee's telegrams dated February 26, 1971, have been verified in writing by the Commission.

B. Technical Specifications

The Technical Specifications contained in Appendix A as revised through Amendment No. 178 are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

C. Reports

The licensee shall make certain reports in accordance with the requirements of the Technical Specifications.

D. Records

The licensee shall keep facility operating records in accordance with the requirements of the Technical Specifications.

**E. Restrictions**

Operation in the coastdown mode is permitted to 40% power.

**F. The licensee shall maintain the commitments made in response to the March 14, 1983, NUREG-0737 Order, subject to the following provision:**

The licensee may make changes to commitments made in response to the March 14, 1983, NUREG-0737 Order without prior approval of the Commission as long as the change would be permitted without NRC approval, pursuant to the requirements of 10 CFR 50.59. Consistent with this regulation, if the change results in an Unreviewed Safety Question, a license amendment shall be submitted to the NRC staff for review and approval prior to implementation of the change.

**G. The licensee shall implement and maintain in effect all provisions of the approved fire protections program as described in the Updated Final Safety Analysis Report for the facility and as approved in the SERs dated March 22, 1978, with supplements dated December 2, 1980 and February 12, 1981; January 19, 1983; July 17, 1987; September 28, 1987; and January 5, 1989, subject to the following provisions:**

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

**H. Physical Protection**

The licensee shall fully implement and maintain in effect all provisions of the Commission approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Dresden Nuclear Power Station Security Plan," with revisions submitted through January 24, 1994; "Dresden Nuclear Power Station Security Personnel Training and Qualification Plan," with revisions submitted through February 20, 1992; and "Dresden Nuclear Power Station Safeguards Contingency Plan," with revisions submitted through February 16, 1984. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

**I. Deleted.**

**J. Deleted.**

- K. Deleted.
- L. Deleted. [Amdt. 87, 7-24-86]
- M. Deleted. [Amdt. 85, 12-12-85]
- N. By Amendment No. 144, the license is amended to allow, on a one time temporary basis, operation of Dresden, Unit 3, with the corner room structural steel members in the Low Pressure Coolant Injection Corner Rooms outside the Updated Final Safety Analysis Report (UFSAR) design parameters. Operation under these conditions is allowed up to and including the next scheduled refueling outage (D3R14).

The repairs to Dresden, Unit 3, corner room structural steel shall restore the steel design margins to the current UFSAR (updated through Revision 1A) design criteria. The design of the modifications to the Dresden, Unit 3, corner room structural steel members will be based on use of elastic section modules and the structural steel stresses will be limited to 1.6 of the American Institute of Steel Construction (AISC allowables). The modifications to Dresden, Unit 3, corner room structural steel will be implemented during the upcoming D3R14 refueling outage.

During this interim period of operation, should vibratory ground motion exceeding the UFSAR Operating Basis Earthquake (OBE) design parameters, Dresden, Unit 3, will be shut down for inspection and will not start up without prior NRC approval.

O. Additional Conditions

The Additional Conditions contained in Appendix B, as revised through Amendment No. 158, are hereby incorporated into this license. The licensee shall operate the facility in accordance with the Additional Conditions.

P. Pressure-Temperature Limit Curves

The pressure-temperature (P-T) limit curves issued by Amendment No. 174 are approved for use until October 30, 2002, unless Exelon Generation Company, LLC, the licensee, obtains approval from the Nuclear Regulatory Commission staff for use beyond October 30, 2002.

Q. Fuel Burnup

The maximum rod average burnup for any rod shall be limited to 60 GWD/MTU until the completion of an NRC environmental assessment supporting an increased limit.

- R. Exelon Generation Company, LLC shall provide the Director of the Office of Nuclear Reactor Regulation, a copy of any application, at the time it is filed, to transfer (excluding grants of security interests or liens) from Exelon Generation Company, LLC to its direct or indirect parent, or to any other affiliated company, facilities for the production, transmission, or distribution of electric energy having a depreciated book value exceeding ten percent (10%) of Exelon Generation Company, LLC's consolidated net utility plant, as recorded on Exelon Generation Company, LLC's books of account.

- S. Exelon Generation Company, LLC shall have decommissioning trust funds for Dresden, Unit 3, in the following minimum amount, when Dresden, Unit 3, is transferred to Exelon Generation Company, LLC:

Dresden, Unit 3	\$262,231,719
-----------------	---------------

- T. The decommissioning trust agreement for Dresden, Unit 3, at the time the transfer of the unit to Exelon Generation Company, LLC is effected and thereafter, is subject to the following:
- (1) The decommissioning trust agreement must be in a form acceptable to the NRC.
  - (2) With respect to the decommissioning trust fund, investments in the securities or other obligations of Exelon Corporation or affiliates thereof, or their successors or assigns are prohibited. Except for investments tied to market indexes or other non-nuclear sector mutual funds, investments in any entity owning one or more nuclear power plants are prohibited.
  - (3) The decommissioning trust agreement for Dresden, Unit 3, must provide that no disbursements or payments from the trust shall be made by the trustee unless the trustee has first given the Director of the Office of Nuclear Reactor Regulation, 30 days prior written notice of payment. The decommissioning trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the NRC.
  - (4) The decommissioning trust agreement must provide that the agreement can not be amended in any material respect without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.
  - (5) The appropriate section of the decommissioning trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trust shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.
- U. Exelon Generation Company, LLC shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for approval of the transfer of the Dresden, Unit 3, license and the requirements of the Order approving the transfer, and consistent with the safety evaluation supporting the Order.



4. This license is effective as of the date of issuance and shall expire at Mid-night January 12, 2011.

**FOR THE ATOMIC ENERGY COMMISSION**

Original signed by:

**Peter A. Morris, Director  
Division of Licensing**

**Enclosures:**

**Appendix A - Technical Specifications  
Appendix B - Additional Conditions**

**Date of Issuance: January 12, 1971**

**APPENDIX B**

**ADDITIONAL CONDITIONS**

**FACILITY OPERATING LICENSE NO. DPR-25**

The licensee shall comply with the following conditions on the schedules noted below:

<u>Amendment Number</u>	<u>Additional Condition</u>	<u>Implementation Date</u>										
152	<p>The license is amended to authorize changing the UFSAR to allow credit for containment overpressure as detailed below, to assure adequate Net Positive Suction Head is available for low pressure Emergency Core Cooling System pumps following a design basis accident.</p> <table><tr><th><u>Time (seconds)</u></th><th><u>Containment Pressure (PSIG)</u></th></tr><tr><td>0-240</td><td>9.5</td></tr><tr><td>240-480</td><td>2.9</td></tr><tr><td>480-6000</td><td>1.9</td></tr><tr><td>6000-accident end</td><td>2.5</td></tr></table>	<u>Time (seconds)</u>	<u>Containment Pressure (PSIG)</u>	0-240	9.5	240-480	2.9	480-6000	1.9	6000-accident end	2.5	<p>Prior to Unit 3 returning to Mode 3 from refueling outage D3R14.</p>
<u>Time (seconds)</u>	<u>Containment Pressure (PSIG)</u>											
0-240	9.5											
240-480	2.9											
480-6000	1.9											
6000-accident end	2.5											
152	<p>The licensee shall complete the evaluation of the torus attached piping.</p>	<p>Prior to Unit 3 returning to Mode 3 from refueling outage D3R14.</p>										
152	<p>The EOPs shall be changed to alert operator to NPSH concerns and to make containment spray operation consistent with the overpressure requirements for NPSH.</p>	<p>Shall be implemented within 30 days after issuance of Amendment No. 152.</p>										
155	<p>This amendment authorizes the licensee to incorporate in the Updated Final Safety Analysis Report (UFSAR), the description of the Reactor Coolant System design pressure, temperature and volume that was removed from Technical Specification Section 5.4, and evaluated in a safety evaluation dated June 12, 1997.</p>	<p>30 days from the date of issuance of Amendment No. 155.</p>										



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

January 12, 2001

Docket Nos. 50-10  
50-237  
50-249

AMENDMENT TO INDEMNITY AGREEMENT NO. B-10  
AMENDMENT NO. 25

Effective January 12, 2001, Indemnity Agreement No. B-10, between Commonwealth Edison Company and the Nuclear Regulatory Commission, dated December 14, 1961, as amended, is hereby further amended as follows:

Delete the name "Commonwealth Edison Company" and substitute the name "Exelon Generation Company, LLC"

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

Cynthia A. Carpenter

Cynthia A. Carpenter, Chief  
Generic Issues, Environmental, Financial  
and Rulemaking Branch  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Accepted \_\_\_\_\_, 2001

Accepted \_\_\_\_\_, 2001

By \_\_\_\_\_  
Commonwealth Edison Company

By \_\_\_\_\_  
Exelon Generation Company, LLC



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

January 12, 2001

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FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

Cynthia A. Carpenter  
Cynthia A. Carpenter, Chief  
Generic Issues, Environmental, Financial  
and Rulemaking Branch  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Accepted \_\_\_\_\_, 2001

Accepted \_\_\_\_\_, 2001

By \_\_\_\_\_  
Commonwealth Edison Company

By \_\_\_\_\_  
Exelon Generation Company, LLC



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

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FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

*Cynthia A. Carpenter*

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Generic Issues, Environmental, Financial  
and Rulemaking Branch  
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Office of Nuclear Reactor Regulation

Accepted \_\_\_\_\_, 2001

Accepted \_\_\_\_\_, 2001

By \_\_\_\_\_  
Commonwealth Edison Company

By \_\_\_\_\_  
Exelon Generation Company, LLC