

10 CFR 55.11

RS-01-061

April 5, 2001

Director of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001LaSalle County Station, Units 1 and 2
Facility Operating License Nos. NPF-11 and NPF-18
NRC Docket Nos. 50-373 and 50-374Subject: Additional Information Regarding Request for Exemption from Certain
Requirements of 10 CFR 55.31, "How to apply"

- References: (1) Proposed Rule, "Operator License Eligibility and Use of
Simulation Facilities in Operator Licensing," dated July 3, 2000
(65 Federal Register 41021)
- (2) Commonwealth Edison Company letter, "Request for Exemption
from Certain Requirements of 10 CFR 55.31," dated October 17,
2000
- (3) Commonwealth Edison Company letter, "Additional Information
Regarding Request for Exemption from Certain Requirements of
10 CFR 55.31, 'How to apply'," dated November 22, 2000

In the Reference 2 letter, Exelon Generation Company (EGC), LLC, formerly
Commonwealth Edison (ComEd) Company, requested NRC approval of an exemption
from the requirement of 10 CFR 55.31, "How to apply," paragraph (a)(5) regarding
reactivity or power level manipulations performed by applicants for operator and senior
operator licenses. The requested exemption would allow the required reactivity or
power level changes to be performed by an applicant on the actual plant and/or the
plant-referenced simulator for the facility. Based on a telephone conference call
between representatives of EGC and the NRC on October 27, 2000, the following
additional information is being provided in connection with the requested exemption.

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In the Reference 2 letter, it was stated that simulator scenarios specifically designated for use as reactivity manipulation scenarios will be selected or developed as part of our accredited training program, and will be validated prior to use. Those simulator scenarios, referred to in the Reference 2 letter, will utilize one of three simulator initial core conditions (i.e., beginning of life, middle of life, or end of life) to approximate the plant reactor core fuel burn-up at the time the control manipulations are performed and will be implemented using approved plant procedures.

In the Reference 3 letter, the names of the individuals were provided, to whom this exemption would be granted, who were candidates enrolled in the licensed operator and senior operator training programs at Braidwood Station, Byron Station and Quad Cities Nuclear Power Station. Additionally, it was identified that the list of LaSalle County Station individuals would be provided under separate correspondence.

Attached to this letter are the names of the individuals, to whom this exemption would be granted, who are candidates enrolled in the licensed operator and senior operator training programs at LaSalle County Station.

If you have any questions about this letter, please contact T. W. Simpkin at (630) 663-3019.

Respectfully,

A handwritten signature in black ink, appearing to read 'R. M. Krich', with a stylized, cursive script.

R. M. Krich
Director – Licensing
Mid-West Regional Operating Group

Attachment

cc: Regional Administrator – NRC Region III
NRC Senior Resident Inspector – LaSalle County Station

Attachment

LaSalle County Station Licensed Operator and Senior Operator Candidates

Reactor Operator

Wayne D. Clayton
Thomas M. Dusek
Dave A. Edwall
Jeffrey J. Gallick
Michael J. Girka

Michael A. Mulka
Jimmy L. Pigg
Michael J. Stevens
Stephen A. Williams

Senior Reactor Operator

Steven P. Brown
Martin R. Cooper
Thomas S. Dean
Robert W. Dudley
Douglas J. Evans

Michael J. Findley
Terry P. Nance
Harold D. Pontious, Jr.
John J. Reimer
Daniel R. Szumski


We, the above named individuals, are seeking an exemption from the requirement of 10 CFR 55.31, "How to apply," regarding reactivity or power level manipulations performed by applicants for operator and senior operator licenses. Specifically, 10 CFR 55.31(a)(5) requires evidence that an applicant for an operator or senior operator license, as a trainee, has successfully manipulated the controls of the facility for which the license is sought. At a minimum, five significant control manipulations which affect reactivity or power level must be performed as a prerequisite for license eligibility. The requested exemption would allow us to perform the required reactivity or power level changes on the actual plant and/or the plant-referenced simulator for the facility.

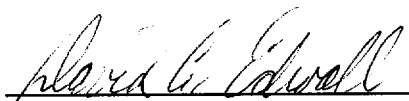
Our individual applications for operator or senior operator licenses will indicate that we performed the required reactivity or power level changes on the actual plant and/or the plant-referenced simulator for the facility.

Attachment

We affirm that the statements above are true and correct to the best of our knowledge, information and belief.

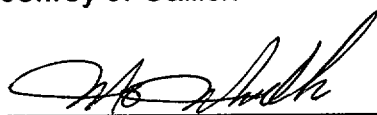

Wayne D. Clayton

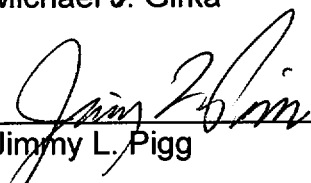

Thomas M. Dusek


Dave A. Edwall


Jeffrey J. Gallick


Michael J. Girka


Michael A. Mulka

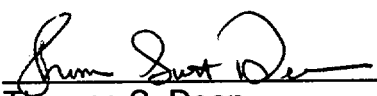

Jimmy L. Pigg


Michael J. Stevens

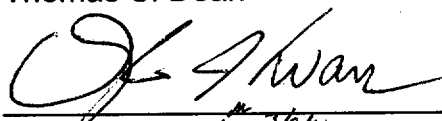

Stephen A. Williams


Steven P. Brown

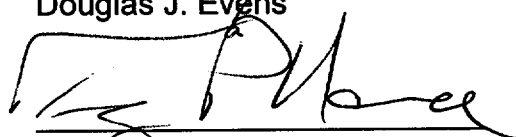

Martin R. Cooper

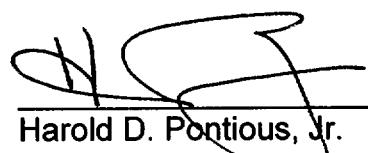

Thomas S. Dean


Robert W. Dudley


Douglas J. Evens ^{3/9/01}


Michael J. Findley


Terry P. Nance


Harold D. Pontious, Jr.


John J. Reimer


Daniel R. Szumski



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

March 30, 2001

Mr. R. M. Krich
Vice President - Regulatory Services
Exelon Generation Company, LLC
1400 Opus Place
Downers Grove, Illinois 60515-5701

SUBJECT: EXEMPTION FROM 10 CFR 72.212 AND 72.214, DOCKET NO. 72-37
(TAC NO. L23260)

Dear Mr. Krich:

This is in response to your January 11, 2001, letter requesting exemption to 10 CFR 72.212(a)2, 72.212(b)(2)(i)(A) and 72.214, pursuant to 10 CFR 72.7. In your letter, you requested an exemption from the condition in Certificate of Compliance 1008 (the Certificate), Appendix B, Items 1.4.6.a, 1.4.6.b, and 1.4.6.d for the HI-STAR 100 Cask System, listed in 10 CFR 72.214. This exemption would allow the HI-STAR 100 Cask System to be placed on storage pads with a concrete thickness less than or equal to 28 inches, concrete compressive strength less than or equal to 6,000 psi at 28 days, and soil effective modulus of elasticity less than or equal to 16,000 psi. The requested exemption is to the revised requirement of 10 CFR 72.212(b)(2)(i)(A), which, although not a current requirement, was approved by the Commission and will go into effect on April 5, 2001. Accordingly, the exemption to this requirement will be effective on April 5, 2001.

The Dresden Nuclear Power Station (Dresden) Unit 2 spent fuel pool contains a number of Dresden Unit 1 spent fuel assemblies. We understand that Exelon Generation Company, LLC (EGC) needs to begin loading spent fuel assemblies into storage casks in Spring 2001 to maintain full-core offload capability in the Unit 2 spent fuel pool once new fuel arrives for Summer 2001 refueling outage. However, the storage pads at the Dresden Independent Spent Fuel Storage Installation (ISFSI) are not in conformance with the Certificate.

On August 4, 2000, the cask designer, Holtec International (Holtec) submitted to the U.S. Nuclear Regulatory Commission (NRC) an application to amend Certificate of Compliance 1008 (HI-STAR amendment 2). The application includes a request to revise the storage pad specifications in Item 1.4.6 in Appendix B to the Certificate. The exemption will allow items 1.4.6.a, 1.4.6.b, and 1.4.6.d to be revised to require (1) a concrete thickness of less than or equal to 28 inches, (2) a concrete compressive strength of less than or equal to 6,000 psi at 28 days, and (3) soil effective modulus of elasticity of less than or equal to 16,000 psi. These parameters are specifically evaluated in the Holtec HI-STAR amendment request. The staff has completed its technical review of this amendment request and is initiating the rulemaking process of revising 10 CFR 72.214 to add this amendment to the approved version of Certificate of Compliance 1008.

After reviewing the information provided in your letter and Holtec's August 4, 2000, application, the staff has determined that the safety basis for using cask storage pads with the revised characteristics is adequate to grant the exemption. The staff reached its decision as a result of

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its technical review of your exemption request and Holtec's amendment application. The NRC safety evaluation of the Holtec amendment can be found in the HI-STAR amendment 2 rulemaking package dated November 30, 2000, (ADAMS accession no. ML03770774). The staff determined that the proposed changes to the concrete pad specifications have minimal safety significance and are needed to ensure that full compliance with the Certificate can be achieved when designing and constructing the ISFSI storage pad.

NRC staff evaluated the public health and safety and environmental impacts of the proposed exemption and determined that granting the exemption would not result in any significant impacts. For this action, an Environmental Assessment and Finding of No Significant Impact have been prepared and published in the Federal Register (66 FR 15507, dated March 19, 2001). A copy of the Federal Register Notice was provided to you by letter dated March 8, 2001. Based on the foregoing considerations, the staff has determined that granting the proposed exemption from the provisions of 10 CFR 72.212(a)(2), 72.212(b)(2)(i)(A), and 72.214 is authorized by law, will not endanger life or property or the common defense and security, and otherwise in the public interest. Specifically, this exemption permits EGC to deviate from the requirements of Certificate of Compliance 1008, Appendix B, Items 1.4.6.a, 1.4.6.b, and 1.4.6.d and place HI-STAR 100 Cask Systems, loaded with spent nuclear fuel generated at Dresden, on cask storage pads that include the following characteristics:

- (1) Concrete Thickness: ≤ 28 inches
- (2) Concrete Compressive Strength: $\leq 6,000$ psi at 28 days
- (3) Soil Effective Modulus of Elasticity: $\leq 16,000$ psi

The storage pad characteristics specified above replace those currently specified in Certificate of Compliance 1008, Appendix B, Item 1.4.6.a, 1.4.6.b, and 1.4.6.d. EGC is hereby granted this exemption subject to the following conditions:

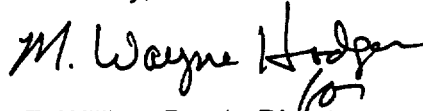
- (1) EGC must perform the 10 CFR 72.212 evaluations in accordance with the terms of the general license provisions of 10 CFR Part 72, Subpart K, prior to loading any HI-STAR 100 Cask System and placing the cask on storage pads with the characteristics specified above.
- (2) EGC must inform NRC, within 30 days, if any of the conditions of this exemption cannot be met.
- (3) EGC must meet all other conditions of Certificate of Compliance 1008.

R. Krich

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If you have any questions, please contact Christopher Jackson of my staff at (301)415-2947. Any future correspondence related to this action should reference Docket 72-37 and TAC No. L23260.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Wayne Brach", with a stylized flourish at the end.

E. William Brach, Director
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

Docket Nos.: 72-37, 72-1008, 50-10

cc: Mr. K.P. Singh, President
Holtec International

Service List