

RS-14-004

January 6, 2014

ATTN: Document Control Desk  
Director, Division of Spent Fuel Storage and Transportation  
Office of Nuclear Material Safety and Safeguards  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Peach Bottom Atomic Power Station, Units 2 and 3  
Renewed Facility Operating License Nos. DPR-44 and DPR-56  
NRC Docket Nos. 50-277, 50-278, and 72-29

Subject: Withdrawal of Exemption Request for Transnuclear TN-68 Casks Loaded with Fuel Bundles with Incorrect Cooling Times

- References:
1. Letter from P. R. Simpson (Exelon Generation Company, LLC) to U.S. NRC, "Exemption Request for Transnuclear TN-68 Casks Loaded with Fuel Bundles with Incorrect Cooling Times," dated May 23, 2013
  2. Letter from J. C. Nguyen (U.S. NRC) to P. R. Simpson (Exelon Generation Company, LLC), "Peach Bottom Exemption Request (TAC No. L24749)," dated December 17, 2013

In Reference 1, Exelon Generation Company, LLC (EGC) requested NRC approval of a one-time exemption for the Peach Bottom Atomic Power Station (PBAPS), Units 2 and 3 Independent Spent Fuel Storage Installation (ISFSI) from the requirements of 10 CFR 72.212(b)(3) and (b)(11). Specifically, the exemption request addressed the non-compliance of four spent fuel assemblies with the terms and conditions of the Transnuclear, Inc. (TN) Certificate of Compliance (CoC) Number 1027, Amendment 0, at the time of loading.

In Reference 2, the NRC documented that an exemption is not appropriate at this time. The NRC based the conclusion upon the four spent fuel assemblies were in compliance with the CoC requirements as of September 14, 2001, and that the NRC had dispositioned the erroneous loading as a violation, but not a continuing one. Therefore, since a non-compliance no longer exists, an exemption is not needed.

Based upon Reference 2, EGC withdraws the exemption request made in Reference 1.

There are no regulatory commitments contained in this letter.

Should you have any questions concerning this letter, please contact me at (630) 657-2823.

Respectfully,



Patrick R. Simpson  
Manager – Licensing

cc: NRC Regional Administrator - Region I