

January 6, 2014

EA-04-170

Mr. Michael J. Pacilio  
Senior Vice President, Exelon Generation Co., LLC  
President and Chief Nuclear Officer, Exelon Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

SUBJECT: LASALLE COUNTY STATION, UNITS 1 AND 2 – RELAXATION OF  
CONFIRMATORY ORDER

Dear Mr. Pacilio:

By letters dated September 5, 2013, and November 1, 2013, the Exelon Generating Company (Exelon) requested that the Nuclear Regulatory Commission (NRC) relax all of the conditions specified in the Confirmatory Order (Order) issued to Exelon and the LaSalle County Station (LaSalle) on November 22, 2005 (ADAMS Accession Number ML053250440). The Order currently requires: (1) actions applicable to LaSalle's radiation protection program as a whole, (2) one-time actions that were to be performed for the two successive refueling outages immediately following issuance of the Order, and (3) payment of a \$10,000 civil penalty. Also, certain actions specified in the Order are applicable to The Venture (Venture), the company that provided contract maintenance workers to Exelon in 2004, and whose employees willfully violated NRC requirements for access to high radiation areas at LaSalle.

In the letters referenced above, Exelon stated that it has satisfied the conditions of the Order for over 7 years, as evidenced by NRC inspections since the implementation of the Order (see NRC Inspection Report 05000373/2007/002; 050000374/2007002, dated April 27, 2007). Also, Exelon completed the one-time actions required by Sections IV.2, IV.3, IV.4, IV.6, IV.7, and IV.8 of the Order. The letters also indicated that Venture was replaced by successive contract companies beginning in December of 2006. Moreover, the letters expressed Exelon's radiation safety and employee training programs have evolved over the past 7 years, institutionalizing and implementing the on-going commitments contained in the Order and other enhancements that provide additional barriers and controls at LaSalle and throughout the Exelon fleet. Finally, the letters maintain that the relaxation of the Order will not adversely impact the radiological work practices and performance of your contractor work force.

The Confirmatory Order specifies that the Director, Office of Enforcement, may relax any of the conditions of the Order upon a showing of good cause. My staff, after conferring with the appropriate Agency organizations responsible for oversight of LaSalle, has reviewed Exelon's request, and concluded that there are a number of factors

which, in combination, amount to good cause for relaxing the order. These factors include: (1) the change in maintenance contract companies at the LaSalle facility since the Order was issued in 2005; (2) Exelon's compliance with the Order conditions for radiation safety controls and training for more than 7 years; (3) the integration of the radiation safety controls specified by the Order in Exelon fleet-wide procedures and programs; and (4) the positive results of the NRC's inspections of Order implementation. Therefore, based upon the authority granted to the Director, Office of Enforcement, the requirements of Sections IV.1 and IV.5 of Order EA-04-170 are hereby relaxed in their entirety effective this date due to the showing of good cause.

Exelon is not required to respond to this letter; however, if it chooses to provide a response, the response should not, to the extent possible, include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

*/RA/*

Roy Zimmerman, Director  
Office of Enforcement

Docket Nos. 50-373 and 50-374  
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Sincerely,

/RA/

Roy Zimmerman, Director  
Office of Enforcement

Docket Nos. 50-373 and 50-374  
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**ADAMS Accession Number: ML14006A394**

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OFFICE	OGC	NRR/DIRS:D	NRR:D	OE:D	
NAME	CHair	HNieh	ELeeds	RZimmerman	
DATE	12/05/2013	12/13/2013	12/19/2013	01/06/	

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Letter to Michael J. Pacilio from Roy Zimmerman dated January 6, 2014

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CONFIRMATORY ORDER

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