



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

September 28, 2021

Mr. David P. Rhoades  
Senior Vice President  
Exelon Generation Company, LLC  
President and Chief Nuclear Officer (CNO)  
Exelon Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

SUBJECT: BYRON STATION, UNIT NOS. 1 AND 2 AND ISFSI RE: WITHDRAWAL OF LICENSING ACTIONS ASSOCIATED WITH THE SCHEDULED PERMANENT SHUT DOWN AND DECOMMISSIONING OF THE UNITS (EPIDS L-2020-LLA-0215, L-2020-LLE-0156, L-2020-LLA-0238, L-2020-LLA-0240, L-2021-JLD-0004, L-2021-JLD-0005, AND L-2021-LRO-0041)

Dear Mr. Rhoades:

By letter dated September 15, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21258A276), Exelon Generation Company, LLC (Exelon) informed the U.S. Nuclear Regulatory Commission (NRC) that it had reversed its decision to permanently cease power operations at Byron Station, Unit Nos. 1 and 2 (Byron), as previously communicated to the NRC by letter dated September 2, 2020 (ADAMS Accession No. ML20246G613). Accordingly, Exelon requested that the following docketed licensing actions be withdrawn:

1. Exelon letter dated September 24, 2020, "License Amendment Request – Proposed Changes to Technical Specifications Sections 1.1, 'Definitions,' and 5.0, 'Administrative Controls,' for Permanently Defueled Condition" (ADAMS Accession No. ML20269A401) (EPID L-2020-LLA-0215);
2. Exelon letter dated September 30, 2020, "Request for Exemption from Certain Record Retention Requirements" (ADAMS Accession No. ML20274A347) (EPID L-2020-LLE-0156);
3. Exelon letter dated October 29, 2020, "License Amendment Request – Proposed Defueled Technical Specifications and Revised License Conditions for Permanently Defueled Condition" (ADAMS Accession No. ML20304A147) (EPID L-2020-LLA-0238);
4. Exelon letter dated November 2, 2020, "License Amendment Request – Proposed Changes to Byron Emergency Plan for Post-Shutdown and Permanently Defueled Condition" (ADAMS Accession No. ML20307A333) (EPID L-2020-LLA-0240);
5. Exelon letter dated February 23, 2021, "Request for Rescission of NRC Orders EA-12-049 [Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events], EA-12-051 [Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation], and EA-13-109 [Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation

Under Severe Accident Conditions (not applicable to Byron)]” (ADAMS Accession No. ML21054A218) (EPIDS L-2021-JLD-0004 and L-2021-JLD-0005); and

6. Exelon letter dated July 28, 2021, “Byron Station, Units 1 and 2 - Post-Shutdown Decommissioning Activities Report” (ADAMS Accession No. ML21209A031) (EPID L-2021-LRO-0041).

The NRC has forwarded the enclosed notices of withdrawal regarding the above, previously noticed three applications for amendments to the Byron renewed facility operating licenses to the Office of the Federal Register for publication.

Sincerely,

*/RA/*

Joel S. Wiebe, Senior Project Manager  
Plant Licensing Branch III  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-454, STN 50-455,  
and 72-068

Enclosures:

1. Notice of Withdrawal of September 24, 2020, Application RE:  
Administrative Controls for Permanently Defueled Condition
2. Notice of Withdrawal of October 29, 2020, Application RE:  
Proposed Defueled Technical Specifications and Revised License  
Conditions for Permanently Defueled Condition
3. Notice of Withdrawal of November 2, 2020, Application RE:  
Revision to Emergency Plan for Permanently Shut Down and  
Defueled Condition

cc: Listserv

**ENCLOSURE 1**

**FEDERAL REGISTER NOTICE**

**Notice of Withdrawal of September 24, 2020, Application**

**RE: Administrative Controls for Permanently Defueled Condition**

**NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-454 and 50-455; NRC-2020-0259]**

**Exelon Generation Company, LLC;**

**Byron Station, Unit Nos. 1 and 2**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** License amendment application; withdrawal by applicant.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has granted the request of Exelon Generation Company, LLC (Exelon, the licensee) to withdraw its application dated September 24, 2020, for proposed amendments to Renewed Facility Operating License Nos. NPF-37 and NPF-66 for Byron Station, Unit Nos. 1 and 2 (Byron), respectively. The proposed amendments would have made changes to technical specifications (TSs) definitions and administrative controls for the permanently defueled condition.

**DATES:** [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:** Please refer to Docket ID **NRC-2020-0259** when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID **NRC-2021-0259**. Address questions about Docket IDs in Regulations.gov to Stacy Schumann; telephone: 301-415-0624; email: Stacy.Schumann@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **NRC's Agencywide Documents Access and Management System**

**(ADAMS):** You may obtain publicly available documents online in the ADAMS Public

Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin Web-based ADAMS Search.” For problems with ADAMS, contact the NRC’s Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- **Attention:** The PDR, where you may examine and order copies of public documents, is currently closed. You may submit your request to the PDR via email at [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov) or call 1-800-397-4209 or 301-415-4737, between 8:00 a.m. and 4:00 p.m. (ET), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Joel S. Wiebe, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6606; email: [Joel.Wiebe@nrc.gov](mailto:Joel.Wiebe@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

The NRC has granted the request of Exelon to withdraw its application dated September 24, 2020 (ADAMS Accession No. ML20269A401) for proposed amendments to Renewed Facility Operating License Nos. NPF-37 and NPF-66 for Byron, Unit Nos. 1 and 2, respectively, which are located in Ogle County, Illinois. Exelon is the licensee that owns and operates Byron. The proposed amendments would have made changes to TSs definitions and administrative controls for the permanently defueled condition.

The Commission previously issued a proposed finding that the proposed amendments involve no significant hazards consideration published in the *Federal Register* on December 1, 2020 (85 FR 77274). However, by letter dated

September 15, 2021 (ADAMS Accession No. ML21258A276), Exelon requested to withdraw the proposed amendments.

Dated: September 28, 2021.

For the Nuclear Regulatory Commission.

***/RA/***

Joel S. Wiebe, Senior Project Manager,  
Plant Licensing Branch III,  
Division of Operating Reactor Licensing,  
Office of Nuclear Reactor Regulation.

**ENCLOSURE 2**

**FEDERAL REGISTER NOTICE**

**Notice of Withdrawal of October 29, 2020, Application**

**RE: Proposed Defueled Technical Specifications and Revised License Conditions for  
Permanently Defueled Condition**

**NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-454 and 50-455; NRC-2020-0275]**

**Exelon Generation Company, LLC;**

**Byron Station, Unit Nos. 1 and 2**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** License amendment application; withdrawal by applicant.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has granted the request of Exelon Generation Company, LLC (Exelon, the licensee) to withdraw its application dated October 29, 2020, for proposed amendments to Renewed Facility Operating License Nos. NPF-37 and NPF-66 for Byron Station, Unit Nos. 1 and 2 (Byron), respectively. The proposed amendments would have made changes to the Byron licenses and technical specifications (TSs) to reflect the permanent cessation of reactor operations and permanent defueling of the reactors.

**DATES:** [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:** Please refer to Docket ID **NRC-2020-0275** when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID **NRC-2021-0275**. Address questions about Docket IDs in Regulations.gov to Stacy Schumann; telephone: 301-415-0624; email: Stacy.Schumann@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **NRC's Agencywide Documents Access and Management System**

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**FOR FURTHER INFORMATION CONTACT:** Joel S. Wiebe, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6606; email: [Joel.Wiebe@nrc.gov](mailto:Joel.Wiebe@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

The NRC has granted the request of Exelon to withdraw its application dated October 29, 2020 (ADAMS Package Accession No. ML20304A147) for proposed amendments to Renewed Facility Operating License Nos. NPF-37 and NPF-66 for Byron Station, Unit Nos. 1 and 2, respectively, which are located in Ogle County, Illinois. Exelon is the licensee that owns and operates Byron. The proposed amendments would have changed the Byron TSs to permit changes in plant operations when the plants are permanently shut down and defueled. Specifically, the proposed amendments would have revised the Byron renewed facility operating licenses and TSs following the permanent cessation of power operations to reflect the post-shutdown and permanently defueled condition of the units. The proposed amendments would have eliminated TS requirements and license conditions that would not have been applicable once Byron

ceased power operations and could no longer place fuel in the reactor vessels. The proposed amendments would have also eliminated obsolete license conditions. Additionally, the proposed amendments would have revised several license conditions and TS requirements, including limiting conditions for operation, usage rules, definitions, surveillance requirements, and administrative controls. The licensing bases for Byron, including the design bases accident analysis, would have also been revised.

The Commission previously issued a proposed finding that the proposed amendments involve no significant hazards consideration published in the *Federal Register* on December 29, 2020 (85 FR 85677). However, by letter dated September 15, 2021 (ADAMS Accession No. ML21258A276), Exelon requested to withdraw the proposed amendments.

Dated: September 28, 2021.

For the Nuclear Regulatory Commission.

**/RA/**

Joel S. Wiebe, Senior Project Manager,  
Plant Licensing Branch III,  
Division of Operating Reactor Licensing,  
Office of Nuclear Reactor Regulation.

**ENCLOSURE 3**

**FEDERAL REGISTER NOTICE**

**Notice of Withdrawal of November 2, 2020, Application**

**RE: Revision to Emergency Plan for Permanently Shut Down and Defueled Condition**

**NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-454, 50-455, and 72-068; NRC-2020-0275]**

**Exelon Generation Company, LLC;**

**Byron Station, Unit Nos. 1 and 2 and**

**Independent Spent Fuel Storage Installation**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** License amendment application; withdrawal by applicant.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has granted the request of Exelon Generation Company, LLC (Exelon, the licensee) to withdraw its application dated November 2, 2020, for proposed amendments to Renewed Facility Operating License Nos. NPF-37 and NPF-66 for Byron Station, Unit Nos. 1 and 2 (Byron), respectively, and the general license for the Independent Spent Fuel Storage Installation (ISFSI). The proposed amendments would have revised the Byron emergency plan following the permanent cessation of power operations to reflect the post-shutdown and permanently defueled condition of the units.

**DATES:** [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:** Please refer to Docket ID **NRC-2020-0275** when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID **NRC-2020-0275**. Address questions about Docket IDs in Regulations.gov to Stacy Schumann; telephone: 301-415-0624; email:

Stacy.Schumann@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

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**FOR FURTHER INFORMATION CONTACT:** Joel S. Wiebe, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6606; email: [Joel.Wiebe@nrc.gov](mailto:Joel.Wiebe@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

The NRC has granted the request of Exelon to withdraw its application dated November 2, 2020 (ADAMS Accession No. ML20307A333) for proposed amendments to Renewed Facility Operating License Nos. NPF-37 and NPF-66 for Byron Station, Unit Nos. 1 and 2, respectively, and the general license for the ISFSI, which are located in Ogle County, Illinois. Exelon is the licensee that owns and operates Byron and its ISFSI. The proposed amendments would have revised the Byron emergency plan following the permanent cessation of power operations to reflect the post-shutdown and permanently

defueled condition of the units. The proposed changes included revision of the emergency response organization staffing and editorial changes.

The Commission previously issued a proposed finding that the proposed amendments involve no significant hazards consideration published in the *Federal Register* on December 29, 2020 (85 FR 85678). However, by letter dated September 15, 2021 (ADAMS Accession No. ML21258A276), Exelon requested to withdraw the proposed amendments.

Dated: September 28, 2021.

For the Nuclear Regulatory Commission.

**/RA/**

Joel S. Wiebe, Senior Project Manager,  
Plant Licensing Branch III,  
Division of Operating Reactor Licensing,  
Office of Nuclear Reactor Regulation.

SUBJECT: BYRON STATION, UNIT NOS. 1 AND 2 AND ISFSI RE: WITHDRAWAL OF LICENSING ACTIONS ASSOCIATED WITH THE SCHEDULED PERMANENT SHUT DOWN AND DECOMMISSIONING OF THE UNITS (EPIDS L-2020-LLA-0215, L-2020-LLE-0156, L-2020-LLA-0238, L-2020-LLA-0240, L-2021-JLD-0004, L-2021-JLD-0005, AND L-2021-LRO-0041) DATED SEPTEMBER 28, 2021

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**ADAMS Accession Nos.:** PKG ML21260A135; LTR (NRR-106) ML21260A139; FRN (ADM-012) ML21260A134, FRN (ADM-012) ML21260A137, FRN (ADM-012) ML21260A138

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DATE	9/28/2021			

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