



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

July 2, 2009

Mr. Charles G. Pardee
President and Chief Nuclear Officer
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: CLINTON POWER STATION, UNIT NO. 1 – RE: REQUEST FOR AMENDMENT TO TECHNICAL SPECIFICATIONS SECTION 3.3.6.1, “PRIMARY CONTAINMENT AND DRYWELL ISOLATION INSTRUMENTATION,” TO ELIMINATE REQUIREMENTS FOR MAIN STEAMLIN ISOLATION ON HIGH TURBINE BUILDING TEMPERATURE (TAC NO. ME1499)

Dear Mr. Pardee:

By letter to the Nuclear Regulatory Commission (NRC) dated June 15, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML091660580), Exelon Generation Company, LLC (Exelon) submitted a request to eliminate requirements for Main Steamline Isolation on high turbine building temperature, for the Clinton Power Station, Unit No. 1 (CPS). On June 20, 2009 (ADAMS Accession No. ML091730148), Exelon submitted a letter requesting that the NRC process the aforementioned amendment request on an emergency basis, in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Paragraph 50.91(a)(5), and asked for completion of the review by June 22, 2009. The justification for this request is contained in the June 20, 2009, letter.

In reviewing the June 15, 2009, submittal, the NRC staff identified the need for additional information. On June 22, 2009, a conference call was held between NRC staff and Exelon to discuss the request for additional information (RAI). The RAI was then transmitted formally to Exelon at approximately 12:30 pm on June 22, 2009 (ADAMS Accession No. ML091730389). Responses to the NRC staff's RAI were received on June 23, 2009 (ADAMS Accession No. ML091740100), at approximately 4:00 am. Upon review of the responses, the NRC staff identified the need for several clarifications that required discussion with the Exelon staff. A conference call was held with the Exelon staff on June 23, 2009, at approximately 12:30 pm. Exelon's draft response to the NRC staff's needed clarification was received on June 24, 2009, at approximately 11:15 am.

Upon review of all of the information both formal and draft provided by Exelon, the NRC staff identified multiple significant technical and regulatory issues during its review that have precluded a prompt determination that the proposed changes are acceptable. Some of the technical and regulatory issues included the potential reliance on operator action in place of the automated main steam isolation valve isolation signal; potential reliance/credit for non-safety related equipment; and changes to the design and licensing basis associated with assumptions used in the CPS alternate source term analysis to demonstrate that the dose limits would be satisfied. Therefore, the NRC staff is not processing this amendment as an emergency in accordance with 10 CFR 50.91(a)(5).

C. Pardee

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The NRC staff has accepted Exelon's license amendment request for review. This review will be in accordance with the normal license amendment process according to 10 CFR 50.90 and 50.91.

If you have further questions, please contact me at (301) 415-3154.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen P. Sands". The signature is written in a cursive style with a large initial "S" and a long, sweeping underline.

Stephen P. Sands, Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-461

cc: Distribution via Listserv

C. Pardee

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If you have further questions, please contact me at (301) 415-3154.

Sincerely,

/C.Gratton for S.Sands/

Stephen P. Sands, Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-461

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