



200 Exelon Way
Kennett Square, PA 19348

www.exeloncorp.com

10 CFR 50.90
10 CFR 50, Appendix E
10 CFR 50.4

JAFP-18-0014

January 31, 2018

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

James A. FitzPatrick Nuclear Power Plant
Renewed Facility Operating License No. DPR-59
Docket No. 50-333

James A. FitzPatrick Nuclear Power Plant
Independent Spent Fuel Storage Installation
General License SFGL-12
Docket No. 72-012

Subject: License Amendment Request to Adopt Emergency Action Level Schemes
Pursuant to NEI 99-01, Revision 6, "*Development of Emergency Action Levels
for Non-Passive Reactors*"

- References:
- 1) Letter from Mark Thaggard (U.S. Nuclear Regulatory Commission) to Susan Perkins-Grew (Nuclear Energy Institute) - *U.S. Nuclear Regulatory Commission Review and Endorsement of NEI 99-01, Revision 6, November 2012*, dated March 28, 2013
 - 2) NRC Regulatory Issue Summary (RIS) 2005-02, Revision 1, "*Clarifying the Process for Making Emergency Plan Changes*," dated August 19, 2011

In accordance with 10 CFR 50.90, "*Application for amendment of license, construction permit, or early site permit*," Exelon Generation Company, LLC (Exelon) requests amendments to the licenses cited for the James A. FitzPatrick Nuclear Power Plant (FitzPatrick).

Specifically, the proposed changes involve revising the Emergency Plan related to the cited facilities to adopt the Nuclear Energy Institute's (NEI's) revised Emergency Action Level (EAL) schemes described in NEI 99-01, Revision 6, "*Development of Emergency Action Levels for Non-Passive Reactors*," which have been endorsed by the NRC as documented in an NRC letter dated March 28, 2013 (Reference 1).

AX45
NMSS26
NRR
NMSS

10 CFR 50, Appendix E, Section IV.B.2 stipulates that a licensee desiring to change its entire EAL scheme shall submit an application for an amendment to its license and receive NRC approval before implementing the change. Regulatory Issue Summary 2005-02, Revision 1 (Reference 2) also indicates that a revision to an entire EAL scheme, from NUREG-0654, "*Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants*," to another NRC-endorsed EAL scheme, must be submitted for prior NRC approval as specified in Section IV.B of Appendix E to 10 CFR 50.

Therefore, pursuant to 10 CFR 50.90, Exelon hereby requests NRC review and approval of revisions to Emergency Plan EALs supporting FitzPatrick.

Currently, FitzPatrick's approved Emergency Plan EAL schemes are based on the guidance established in NEI 99-01, Revision 5, "*Methodology for Development of Emergency Action Levels*." Exelon is proposing to adopt the EAL schemes based on the latest NRC-endorsed guidance, which are described in NEI 99-01, Revision 6.

Attachment 1 provides an evaluation of the proposed changes. Attachment 2 provides additional supporting information related to changes for the FitzPatrick Emergency Plan. The information contained in Attachment 2 includes the following:

- EAL Comparison Matrix Document
- EAL Red-Line Basis Document
- EAL Basis Document
- EAL Front Matter
- EAL Procedure Matrix

The proposed changes have been reviewed by the Plant Operations Review Committee (PORC) in accordance with the requirements of the FitzPatrick Quality Assurance Program.

Exelon requests approval of the proposed changes by January 31, 2019, and requests that the changes be implemented on or before December 31, 2019. The requested implementation period is needed in order to facilitate and coordinate the necessary training with established training cycles for the Operations' crews as well as other Emergency Response Organization (ERO) personnel and allows time to complete the training around outage schedules.

There are no regulatory commitments contained in this submittal.

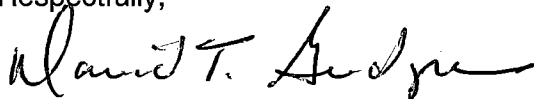
Pursuant to 10 CFR 50.91, "*Notice for public comment; State consultation*," paragraph (b), Exelon is notifying the State of New York of this application for license amendments by transmitting a copy of this letter and its supporting attachments to the designated state officials.

U.S. Nuclear Regulatory Commission
License Amendment Request
Adoption of NEI 99-01, Revision 6 EAL Schemes
Docket Nos. 50-333 and 72-012
January 31, 2018
Page 3

If you have any questions concerning this submittal, please contact Richard Gropp at (610) 765-5557.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 31st day of January 2018.

Respectfully,



David T. Gudger
Manager, Licensing and Regulatory Affairs
Exelon Generation Company, LLC

Attachments:

Attachment 1 - Evaluation of Proposed Changes

Attachment 2 - Discussion of Revision to the Radiological Emergency Plan for James A. FitzPatrick Nuclear Power Plant (CD Copy)

- Enclosure 2A - EAL Comparison Matrix Document
- Enclosure 2B - EAL Red-Line Basis Document
- Enclosure 2C - EAL Basis Document
- Enclosure 2D - EAL Front Matter
- Enclosure 2E - EAL Procedure Matrix

cc: w/ Attachments (CD copy - Attachment 2)
Regional Administrator - NRC Region I
NRC Senior Resident Inspector - James A. FitzPatrick Nuclear Power Plant
NRC Project Manager, NRR - James A. FitzPatrick Nuclear Power Plant
A. L. Peterson, NYSERDA