



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

September 17, 2009

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

SUBJECT: PEACH BOTTOM ATOMIC POWER STATION, UNIT NOS. 2 AND 3: RELIEF REQUEST I3R-48 AND I3R-49 ASSOCIATED WITH THE THIRD INSERVICE INSPECTION INTERVAL (TAC NOS. ME2154 AND ME2155)

Dear Mr. Pardee:

By letter to the Nuclear Regulatory Commission (NRC) dated August 19, 2009 (Agencywide Documents Access and Management System Accession No. ML092390585), Exelon Generation Company, LLC, (Exelon) submitted a relief request for the Peach Bottom Atomic Power Station (PBAPS), Units 2 and 3. The submittal seeks relief from the American Society of Mechanical Engineers (ASME) *Boiler and Pressure Vessel Code*, Section IX, "Rules for Inservice Inspection of Nuclear Power Plant Components." The submittal requests relief from ASME Code requirements for 100% volumetric examination of various welds due to the impracticality of performing the examinations. The submittal states that the relief request applies to the third 10-year interval inspection program for PBAPS Units 2 and 3. The purpose of this letter is to provide the results of the NRC staff's acceptance review of the relief request. The acceptance review was performed to determine if there is sufficient technical information to allow the NRC staff to complete its detailed technical review.

Pursuant to Section 50.55a(g)(5)(iii) of Title 10 of the *Code of Federal Regulations* (10 CFR), the applicant shall notify the NRC when the determination is made that conformance with certain code requirements is impractical. The NRC staff will evaluate the licensee's impracticality determination under 10 CFR 50.55a(g)(6)(i) and may grant relief and may impose alternative requirements giving due consideration to the burden upon the licensee that could result if the requirements were imposed on the facility.

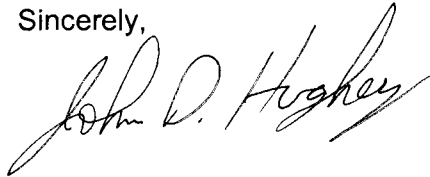
The NRC staff has reviewed your application and concluded that it does provide technical information in sufficient detail to enable the NRC staff to complete its detailed technical review and make an independent assessment regarding the acceptability of the proposed request for relief in terms of regulatory requirements and the protection of public health and safety and the environment. Given the lesser scope and depth of the acceptance review as compared to the detailed technical review, there may be instances in which issues that impact the NRC staff's ability to complete the detailed technical review are identified despite completion of an adequate acceptance review. You will be advised of any further information needed to support the NRC staff's detailed technical review by separate correspondence.

C. Pardee

- 2 -

If you have any questions, please contact John Hughey at (301) 415-3204.

Sincerely,

A handwritten signature in black ink that reads "John D. Hughey". The signature is written in a cursive style with a large, sweeping initial "J".

John D. Hughey, Project Manager
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-277 and 50-278

cc: Distribution via ListServ

C. Pardee

- 2 -

If you have any questions, please contact John Hughey at (301) 415-3204.

Sincerely,

/ra/

John D. Hughey, Project Manager
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-277 and 50-278

cc: Distribution via ListServ

DISTRIBUTION:

PUBLIC

LPLI-2 R/F

RidsAcrsAcnw_MailCTR Resource

RidsNrrDorI Resource

RidsNrrDorIDpr Resource

RidsNrrDorLp1-2 Resource

RidsNrrLAABaxter Resource

RidsNrrPMPeachBottom Resource

RidsRgn1MailCenter Resource

RidsNrrDciCvib Resource

ADAMS Accession No.: ML092590735 * via email

OFFICE	LPL1-2/PM	LPL1-2/LA	LPL1-2/BC
NAME	JHughey	ABaxter *	HChernoff
DATE	09/17/2009	09/17/2009	09/17/2009

OFFICIAL RECORD COPY