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Chief, Rules and Directives Branch
Division of Administrative Services
Office of Administration (Mail Stop T6-D59)
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Response to Solicitation for Public Comments on Draft Revision to NRC Inspection Manual Chapter 9900, "Technical Guidance," "Operability Determinations and Resolution of Nonconformances of Structures, Systems and Components" (Regulatory Issue Summary 2004-XX)

References: (1) Federal Register, Vol. 69, No.148, Page 46599, dated August 3, 2004
(2) Letter, James W. Davis (NEI) to USNRC dated September 30, 2004

Exelon Generation Company, LLC (Exelon) and AmerGen Energy Company, LLC (AmerGen) appreciate the opportunity to provide comments on the draft revision to NRC Inspection Manual Chapter 9900, "Technical Guidance," "Operability Determinations and Resolution of Nonconformances of Structures, Systems and Components," (Regulatory Issue Summary 2004-XX), published by the NRC for comment in Reference 1.

Exelon and AmerGen endorse the comments provided on this subject by the Nuclear Energy Institute (NEI) Operability Determination Process (OPD) Task Force as submitted in the Reference 2 enclosure. In addition, Exelon and AmerGen support the NEI recommendations in the Reference 2 cover letter, i.e., that the NRC should schedule follow-up public meetings with NEI to establish an action plan for addressing industry comments and publishing a final NRC guidance document, and that NEI should schedule a workshop in calendar year 2005 to facilitate this process.

Sincerely,



Michael P. Gallagher, Director
Licensing and Regulatory Affairs
Exelon Generation Company, LLC
AmerGen Energy Company, LLC

cc: Nuclear Energy Institute - James W. Davis
Nuclear Energy Institute - Michael A. Schoppman