March 2, 2007

Mr. Christopher M. Crane President and Chief Nuclear Officer Exelon Nuclear Exelon Generation Company, LLC 4300 Winfield Road Warrenville, IL 60555

SUBJECT: ANNUAL ASSESSMENT LETTER - BYRON STATION, UNITS 1 AND 2 (05000454/2007001; 05000455/2007001)

Dear Mr. Crane:

On February 14, 2007, the NRC staff completed its performance review of Byron Station, Units 1 and 2. Our technical staff reviewed performance indicators (PIs) for the most recent quarter and inspection results for the period from January 1 through December 31, 2006. The purpose of this letter is to inform you of our assessment of your safety performance during this period and our plans for future inspections at your facility.

This performance review and enclosed inspection plan do not include physical protection information. A separate letter designated as "Exempt from Public Disclosure in Accordance with 10 CFR 2.390" and marked as "Official Use Only - Security-Related Information" will include the physical protection review and resultant inspection plan.

Overall, Byron Station Unit 1 operated in a manner that preserved public health and safety and fully met all cornerstone objectives. Plant performance for the most recent quarter, as well as for the first three quarters of the assessment cycle, was within the Licensee Response column of the NRC's Action Matrix, based on all inspection findings being classified as having very low safety significance (Green) and all PIs indicating performance at a level requiring no additional NRC oversight (Green). Therefore, we plan to conduct reactor oversight process baseline inspections at Unit 1.

Overall, Byron Station Unit 2 operated in a manner that preserved public health and safety and fully met all cornerstone objectives. Plant performance for Byron Station Unit 2 for the most recent quarter was within the Regulatory Response column of the NRC's Action Matrix. This conclusion was based on the fact that the first submittal of Mitigating Systems Performance Index (MSPI) results for the Unit 2 Auxiliary Feedwater System was White during the second quarter of 2006. The MSPI remained White during the third and fourth quarters. In our Mid-Cycle assessment we informed you that we would conduct a supplemental inspection using Inspection Procedure 95001, "Inspection for One or Two White Inputs in a Strategic Performance Area," because of the second quarter White MSPI. We conducted the supplemental inspection during the week of February 5, 2007, which was outside of the 2006 assessment cycle. The results of the inspection will be issued in a separate report.

Because we have already conducted the supplemental inspection, early in the 2007 assessment period, we plan only to conduct reactor oversight process baseline inspections at Unit 2.

The enclosed inspection plan details the inspections, less those related to physical protection scheduled through June 30, 2008. The inspection plan is provided to allow for the resolution of any scheduling conflicts and personnel availability issues well in advance of inspector arrival onsite. Routine resident inspections are not listed due to their ongoing and continuous nature. The inspections in the last 9 months of the inspection plan are tentative and may be revised at the mid-cycle review.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS), accessible from the NRC Web site at <u>http://www.nrc.gov/reading-rm/adams.html</u> (the Public Electronic Reading Room).

If circumstances arise which cause us to change this inspection plan, we will contact you to discuss the change as soon as possible. Please contact Richard Skokowski at (630) 829-9620 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

/RA/

Mark A. Satorius, Director Division of Reactor Projects

Docket Nos. 50-454; 50-455 License Nos. NPF-37; NPF-66

Enclosure: Byron Station Inspection/Activity Plan

DISTRIBUTION: See next page

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OFFICE	RIII	RIII		
NAME	RSkokowski*:dtp	MSatorius		
DATE	02/28/07	03/02/07		

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cc w/encl: Site Vice President - Byron Station Plant Manager - Byron Station **Regulatory Assurance Manager - Byron Station Chief Operating Officer** Senior Vice President - Nuclear Services Vice President - Mid-West Operations Support Vice President - Licensing and Regulatory Affairs **Director Licensing** Manager Licensing - Braidwood and Byron Senior Counsel, Nuclear **Document Control Desk - Licensing** Assistant Attorney General Illinois Emergency Management Agency State Liaison Officer, State of Illinois State Liaison Officer, State of Wisconsin Chairman, Illinois Commerce Commission B. Quigley, Byron Station President, Village of Leaf River President, Village of Davis Junction President, Village of Stillman Valley Ogle County Board Chairman Ogle County Sheriff/EMA Coordinator EMA Coordinator, Winnebago County Winnebago County Board Chair Winnebago County Sheriff/ESDA Mayor of Oregon Mayor of Byron President, Village of Mt. Morris Mayor of Rochelle

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Byron Inspection / Activity Plan 03/01/2007 - 06/30/2008

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