

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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AUG 24 2007

STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
PROCEDURES FOR REPORTING )  
RELEASES OF RADIONUCLIDES AT )  
NUCLEAR POWER PLANTS )

R 07-20  
(Rulemaking)

NOTICE OF FILING

Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601

Marie E. Tipsord  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601

Matthew Dunn  
Environmental Bureau Chief  
Office of the Attorney General  
69 West Washington Street, 18th Floor  
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William Richardson  
Chief Legal Counsel  
Illinois Department of Natural Resources  
One Natural Resources Way  
Springfield, Illinois 62702-1271

Kyle Rominger  
Deborah J. Williams  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that, on behalf of Exelon Generation, LLC, I have filed today with the Illinois Pollution Control Board the Pre-Filed Testimony of Zigmund Karpa and Appearance, a copy of which is herewith served upon you.

Dated: August 24, 2007

EXELON GENERATION, LLC

By: William G. Dickett  
One of its Attorneys

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*This filing is submitted on recycled paper.*

**CERTIFICATE OF SERVICE**

I, the undersigned, an attorney, state that I have served the attached Pre-Filed Testimony of Zigmund Karpa and Appearance upon:

Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601

Marie E. Tipsord  
Hearing Officer  
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Kyle Rominger  
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Assistant Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
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by depositing said documents in the United States First-Class Mail from Chicago, Illinois, with sufficient postage affixed on August 24, 2007.

EXELON GENERATION, LLC

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One of its Attorneys

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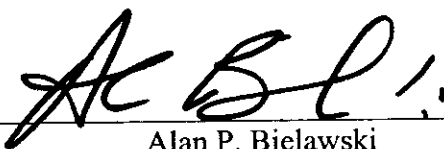
STATE OF ILLINOIS  
Pollution Control Board

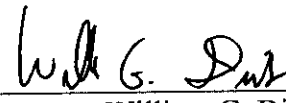
APPEARANCE

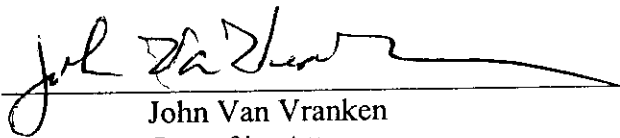
The undersigned hereby enters their appearances on behalf of Exelon Generation, LLC.

Respectfully submitted,

EXELON GENERATION, LLC

By:   
Alan P. Bielawski  
One of its Attorneys

By:   
William G. Dickett  
One of its Attorneys

By:   
John Van Vranken  
One of its Attorneys

Dated: August 24, 2007

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**PRE-FILED TESTIMONY OF ZIGMUND KARPA**

NOW COMES Exelon Generation, LLC, by and through its attorneys, Sidley Austin LLP, and submits the following Pre-Filed Testimony of Zigmund Karpa for presentation at the September 5, 2007 hearing scheduled in the above-referenced matter.

**TESTIMONY OF ZIGMUND KARPA**

I. INTRODUCTION

My name is Zigmund Karpa. I am the Director of Environmental Programs and Regulatory Policy for Exelon Nuclear. I have held this position for the past 16 months. My current job responsibilities include providing leadership, governance and oversight for environmental performance of Exelon Nuclear, which operates the largest nuclear fleet in the United States. I am responsible for oversight of environmental compliance across the entire nuclear fleet as well as implementation of emerging regulatory requirements. Additionally, I am responsible for the development and implementation of environmental strategies in alignment with Exelon Corporation's vision and values.

Prior to my current position, I was a Senior Environmental Analyst for Exelon Nuclear from 2004 to 2006. In this position, I was responsible for providing independent technical, regulatory and program support and expertise on regulatory compliance issues and projects in all

environmental areas regulated by U.S. EPA, Illinois EPA, New Jersey DEP and Pennsylvania DEP.

Prior to that, from 2000 to 2004, I was the Vice President of U.S. Operations for Jacques Whitford Company. Prior to that, from 1990 to 2000, I was Regional Vice President and Eastern Regional Director of Regulatory Compliance Programs with McLaren/Hart Inc. Prior to that, from 1984 to 1990, I was the Section Chief of the Division of Water Resources, Southern Bureau of Regional Enforcement, for the New Jersey Department of Environmental Protection. In this position, I was responsible for the management of all aspects of the Underground Storage Tank and Landfill Enforcement Program in Southern New Jersey.

I have a Masters degree in Business Administration from Maryville University and a Bachelor of Science degree in Environmental Studies from Slippery Rock University.

I want to thank the Board for providing me the opportunity to submit this testimony.

## II. EXELON

Exelon Corporation is one of the nation's largest electric utilities with approximately 5.2 million customers. The company has one of the industry's largest portfolios of electricity generation capacity, with a nationwide reach and strong positions in the Midwest and Mid-Atlantic. Exelon distributes electricity to approximately 5.2 million customers in northern Illinois and Pennsylvania and natural gas to more than 470,000 customers in southeastern Pennsylvania.

Exelon Nuclear's 10 stations – with 17 reactors – represent approximately 20 percent of the U.S. nuclear industry's power capacity. Six of these sites and 11 of the 17 reactors are in Illinois, including Braidwood 1 & 2, Byron 1 & 2, Clinton 1, Dresden 2 & 3, LaSalle 1 & 2, and

Quad Cities 1 & 2. Exelon Nuclear's 17 generating units produced a record 131.4 million net megawatt-hours of electricity in 2006.

There are about 6,900 nuclear professionals working in Exelon Nuclear. Whether serving at a site or at Exelon Nuclear headquarters, these professionals implement industry best practices to ensure safe, reliable operation throughout the fleet.

### III. NRC LICENSING

The Nuclear Regulatory Commission – the NRC – establishes regulations and guides for the construction and operation of nuclear reactors. Utilities licensed by the NRC are directly responsible for designing, constructing, testing and operating their facilities safely. The NRC, through its licensing and oversight programs, assures that its licensees are meeting their responsibilities.

The NRC inspection program assesses, through scrutiny of carefully selected samples, whether activities are properly conducted and equipment is properly maintained to ensure safe operations. Inspectors monitor the licensee's activity, provide inspection findings to the licensee's management, and conduct follow-up inspections to ensure that the licensee has taken corrective action. The NRC periodically assesses the overall effectiveness of its inspection program for operating reactors.

NRC regulations, specifically 10 C.F.R. Parts 20 and 50, establish radiation protection standards for nuclear facilities, including standards for the protection of members of the public. 10 C.F.R. Part 20 requires that radioactive materials released from a facility must not cause the radioactive dose received by members of the public as a result of the release to exceed specified levels. These levels are established to assure that the public safety and wellbeing is safeguarded. Generally, if a release of radioactive liquids occurs at a facility, the resulting offsite radioactive

dose is calculated based on the volume of liquid and concentrations of radionuclides in the liquid released and compared to the prescribed NRC radiation protection standards.

Usually, the release is a planned release that is conducted in accordance with the facility's established procedures. For example, power plants may on a regular basis discharge relatively small volumes of slightly radioactive tritiated water in accordance with their NRC licenses. When this occurs, prior to initiating the release, plant personnel verify that the release would not cause the dose limitations imposed by NRC regulations to be exceeded. The process, which is set forth in the plant's Offsite Dose Calculation Manual, requires that the concentration of each isotope to be released and the duration of the release be entered into a computer program that calculates the offsite dose to demonstrate compliance with NRC-mandated dose limitations. A prerelease permit is issued for the release, and the release is monitored to confirm that it actually conforms with the prerelease plan. In addition, NRC inspectors audit and inspect on a regular basis the plant's offsite radiological release activities and compliance documentation.

#### IV. ILLINOIS EPA'S PROPOSED RULES

Exelon participated in several meetings and conference calls with IEPA regarding the proposed rules. Exelon and IEPA also exchanged several correspondence regarding the proposed rules. Exelon offered certain additions and changes to the proposed rule, some of which IEPA accepted.

Exelon will not object to IEPA's proposed rules as currently written and offers no changes to the proposed rules.

Exelon notes that the proposed rules address only the reporting of unpermitted releases of radionuclides required under Section 13.6 of the Illinois Environmental Protection Act. Please see the second sentence of section 1010.104 for a discussion of this limitation.

The vast majority of releases from Exelon's nuclear plants will not be governed by the proposed rule. This includes releases that are not prohibited by Exelon's NRC license, but which may exceed the numeric limitations in this regulation, which trigger reporting. As an example, and as described above, controlled releases from Exelon's blowdown line are governed by Exelon's NRC license and will not be governed by this rule. The definition of "Unpermitted release of a radionuclide" in section 1010.106 clarifies this.

The proposed rules do not prevent or preclude a licensee from reporting releases of radionuclides that are not required to be reported under section 13.6 of the Act. The last sentence of section 1010.104 expressly provides for this. As circumstances warrant, Exelon anticipates that it will use this provision and voluntarily report releases that are not governed by these rules.

IEPA stated on page 4 of its May 23, 2007 Statement of Reasons that Exelon had proposed certain additional language for the rules which IEPA did not incorporate into its proposed rules and that this remains a concern for Exelon. The language Exelon had suggested is also set forth on page 4 of IEPA's Statement of Reasons. Exelon believes that this additional language is no longer necessary to help further define the scope of the rules.

## V. CONCLUSION

In sum, Exelon will not object to IEPA's proposed rules as currently written and offers no changes to the proposed rules.

I have concluded my testimony and appreciate this opportunity to participate in the development of the record in this proceeding. I will be happy to respond to questions.

\* \* \*



Exelon reserves the right to supplement or modify this pre-filed testimony.

Respectfully submitted,

By: William G. Dickett  
One of Its Attorneys

Dated: August 24, 2007

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