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ATTORNEY GENERAL MADIGAN / STATE'S ATTORNEYS REACH AGREEMENT WITH EXELON ON NUCLEAR POWER SAFETY

Settlement Resolves 2006 Tritium Leaks at Nuclear Power Stations; County Organizations and Programs to Benefit from Agreement

Chicago — Attorney General Lisa Madigan and the State's Attorneys of Will, Ogle and Grundy counties have reached a settlement with Exelon Generation Corporation resolving the environmental consequences of radioactive tritium leaks into the groundwater beneath the Braidwood, Byron and Dresden nuclear power plants.

Madigan said Exelon will pay more than \$1 million to resolve three separate civil complaints that she and the State's Attorneys filed jointly, including civil penalties totaling \$628,000 and \$548,000 to fund several Supplemental Environmental Projects in and around the communities where the power plants are located.

"It is imperative that Illinois' nuclear power plants are operated in a manner that does not endanger public health or the environment," Madigan said. "I appreciate the involvement and assistance of State's Attorneys Glasgow, Roe and Sobol in reaching these successful settlements. Through these actions, we are working to ensure that proper clean up has occurred and to put in place protections to prevent tritium leaks in the future."

Braidwood Nuclear Power Station

In March 2006, Attorney General Madigan and Will County State's Attorney James Glasgow filed a suit against Exelon for violations that included a series of releases of tritiated water at the Braidwood Nuclear Power Station resulting from malfunctions in the facility's blowdown line. The blowdown line is an underground pipe that carries wastewater, including tritiated water, approximately four and one-half miles from the power plant to the Kankakee River. Health experts claim that human exposure to tritium can increase the risk of developing cancer.

According to the settlement filed today in Will County Circuit Court, Exelon has complied with the terms of the May 2006 Agreed Order obtained by Madigan and Glasgow which, among other things, required Exelon to make modifications to the blowdown line to avoid future leaks, install alarms and leak detection monitors along the line and investigate and remediate tritium contamination on both its property and property outside of the Braidwood power station's boundary. Exelon will pay a civil penalty of \$608,000.

"Through this cooperative action involving my office, Attorney General Madigan and Exelon, we have taken the necessary steps to protect the citizens of Will County from future releases of contaminated water," said State's Attorney Glasgow. "I also commend local community leaders like Joe Cosgrove from Godley whose commitment to public safety helped drive the settlement we have today. Everyone involved in this process truly understands the paramount importance of protecting the health, safety and welfare of our community."

In addition to paying civil penalties, Exelon Generation will contribute \$392,000 toward Supplemental Environmental Projects (SEPs), which are court-ordered actions designed to promote the goals of the Illinois Environmental Protection Act to restore, protect and enhance the quality of the environment. The money will be dedicated for the use of the Forest Preserve District of Will County's proposed Braidwood Dunes & Savanna Nature Preserve Management Plan (NPMP). Protected as a nature preserve in 1981, the 325-acre parcel is preserved for the benefit of the community and is home to rare plants and sensitive animal habitats that are found nowhere else in Will County. The purpose of the NPMP is to improve water quality at the NPMP site, control invasive species, increase the amount of time the site is covered by water, monitor plant and rare species populations and conduct controlled burns at the NPMP site.

Byron Nuclear Generating Station

In a complaint filed simultaneously with today's settlement, Attorney General Madigan and Ogle County State's Attorney John B. Roe alleged that leaks of tritiated water occurred in 2006 in the wastewater blowdown line at Exelon's Byron Nuclear Generating Station, located approximately 20 miles southwest of Rockford. The blowdown line at the Byron facility runs approximately 2.2 miles and drains into the Rock River. Similar to the resolution of the Braidwood complaint, Exelon has agreed to undertake measures to comply with the law, including implementing an aggressive inspection program and installing an alarm system and leak detection monitors along the blowdown line. Exelon will pay a civil penalty of \$10,000.

"I appreciate the work of the Attorney General's Office in reaching an agreement that will benefit Ogle County both fiscally and substantively. I am especially thankful that a large part of this settlement will fund educational programs for our youth," said State's Attorney Roe.

As part of this agreement, Exelon will pay SEP funds of \$29,000 for three separate Ogle County projects. The Ogle County and Lee County Soil and Water Conservation District will receive \$11,000 to fund environmental educational programs including the acquisition of materials for Outdoor Stewardship Days. The program is designed to reach approximately 1,250 third grade students and teachers. Exelon also will pay \$7,500 to fund a program sponsored by the Ogle County Solid Waste Management Department that includes creating and providing environmental education materials for use in local schools, and \$10,500 to fund the restoration to prairie land of a 23-acre farm field located at Camp McCormick on North Girl Scout Drive in Stillman Valley. That project will involve creating self-guided educational hiking trails and wheelchair trails for children and adults on property that is owned by the Girl Scouts.

Dresden Nuclear Generating Station

In a complaint filed simultaneously with today's settlement, Madigan and Grundy County State's Attorney Sheldon Sobol sued Exelon for water pollution and exceeding groundwater standards beginning in 2001 at its Dresden Nuclear Generating Station near Morris. An earlier tritium release occurred in 1994, when Commonwealth Edison owned and operated the facility. The tritium releases to groundwater from the Dresden facility alleged in the complaint have not traveled off of the generating station site or entered private residential wells.

As part of this settlement, Exelon will pay a civil penalty of \$10,000 and pay \$127,000 to the Illinois Conservation Foundation, which the Illinois Department of Natural Resources will use for a SEP to fund recreational and historical rehabilitation projects along the Illinois & Michigan Canal State Trail complex within Grundy County.

"I am pleased that this matter has been brought to closure and I appreciate the work performed by Attorney General Madigan's office on behalf of the citizens of Grundy County," State's Attorney Sheldon Sobol said. "I am also pleased that the funds paid by Exelon in this matter will be dedicated to a Department of Natural Resources project here in Grundy County."

Senior Assistant Attorney General Gerald Karr, Supervising Attorney Rebecca Burlingham, Bureau Chief RoseMarie Cazeau of Madigan's Environmental Bureau and Environmental Enforcement Division Chief Matthew Dunn are handling the cases for the Attorney General Madigan's Office.

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