

December, 28, 2010

MEMORANDUM TO: Biweekly Notice Coordinator

FROM: Bruce Watson, Chief **/RA/**  
Reactor Decommissioning Branch  
Decommissioning and Uranium Recovery  
Licensing Directorate  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

SUBJECT: REQUEST FOR PUBLICATION IN BIWEEKLY FEDERAL REGISTER  
NOTICE - NOTICE OF CONSIDERATION OF ISSUANCE OF  
AMENDMENT TO FACILITY OPERATING LICENSE, PROPOSED NO  
SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION, AND  
OPPORTUNITY FOR A HEARING

ZionSolutions LLC, Docket Nos. 50-295 and 50-304, Zion Nuclear Power Station (Zion), Units 1  
and 2, Lake County, Illinois

Date of amendment request: November 15, 2010

Description of amendment request: The proposed amendments would delete license conditions that impose specific requirements for the decommissioning trust agreement. In lieu of the license conditions, ZionSolutions will directly implement the requirements of 10 CFR 50.75(h)(1) through (h)(3). ZionSolutions will provide a revised trust agreement as required by 10 CFR 50.75(h)(1)(iii) within 60 days of NRC approval of this proposal. The licensee has stated that the trust agreement will conform with §50.75(h) and ZionSolutions will take no action under the existing trust agreement in the interim that would be inconsistent with the provisions of the regulation.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

- (1) Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed amendments alter the requirements for the decommissioning trust fund. These revisions of the financial assurance requirements do not involve any changes to any structures, systems or components (SSCs) or any method of operation, maintenance or testing. The proposed amendments will continue to provide assurance that adequate decommissioning funding is maintained. Changes to the terms of the trust fund will not alter previously evaluated Defueled Safety Analysis Report (DSAR) design basis accident assumptions, add any accident initiators, or affect the function of the plant SSCs as to how they are operated, maintained, modified, tested, or inspected.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

- (2) Does the change create the possibility of a new or different kind of accident from any accident evaluated?

Response: No.

Implementation of the proposed changes to decommissioning trust fund requirements will have no impact upon the design function of any SSC. Modifying the precise language of the administrative controls on the fund in the trust agreement does not result in the need for any new or different DSAR design basis accident analyses. It does not introduce new equipment that could create a new or different kind of accident, and no new equipment failure modes are created. As a result, no new accident scenarios, failure mechanisms, or limiting single failures are introduced as a result of the proposed amendments.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

- (3) Does the change involve a significant reduction in a margin of safety?

Response: No.

The margin of safety is associated with the confidence in the ability of the fission product barriers to limit the level of radiation to the public. The proposed amendments would not alter any SSC functions and would not alter the way the plant is operated. The amendments do not alter the way in which financial assurance for decommissioning is achieved. The proposed amendments would not introduce any new uncertainties associated with any safety limit. The proposed amendments would have no impact upon the structural integrity of the fuel cladding or any other barrier to fission product release. There would be no reduction in the effectiveness of the fission product barriers to limit the level of radiation to the public.

Therefore, the proposed change does not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Russ Workman, Deputy General Counsel, EnergySolutions, 423 West 300 South, Suite 200, Salt Lake City, UT 84101

NRC Branch Chief: Bruce Watson

Therefore, the proposed change does not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Russ Workman, Deputy General Counsel, EnergySolutions, 423 West 300 South, Suite 200, Salt Lake City, UT 84101

NRC Branch Chief: Bruce Watson

DISTRIBUTION:

DCD R/F                      OGC  
JHickman                      KMcConnell                      CLipa, RIII

**ML103420503**

OFFICE	DWMEP	DWMEP	OGC	DWMEP
NAME	JHickman	CHolston	BJones	BWatson
DATE	12/09/10	12/09/10	12/21/10	12/28/10

**OFFICIAL RECORD COPY**