

10 CFR 50.4
10 CFR 50.47
10 CFR 50 Appendix E

June 20, 2012

ZS-2012-0307

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Zion Nuclear Power Station, Units 1 and 2
Facility Operating License Nos. DPR-39 and DPR-48
NRC Docket Nos. 50-295, 50-304 and 72-1037

Subject: Request for Exemption to Revised Emergency Planning Rule

Pursuant to 10 CFR 50.12, ZionSolutions, LLC (ZionSolutions) requests NRC approval of an exemption from specific requirements of 10 CFR Part 50.47, Emergency Plans and 10 CFR 50, Appendix E, Emergency Planning and Preparedness for Production and Utilization Facilities.

The NRC issued a Final Rule promulgating Enhancements to Emergency Preparedness Regulations in the Federal Register on November 23, 2011 (Reference 1). Pursuant to the Final Rule, licensees are permitted to defer implementation of the final rule until June 20, 2012 with some exceptions. The final rule was described in the Federal Register in terms of six security related Emergency Planning (EP) issues and six non-security related EP issues. These are identified below:

A. Security-Related EP Issues

1. On-Shift Staffing Analysis
2. Emergency Action Levels for Hostile Action
3. Emergency Response Organization Augmentation and Alternative Facilities
4. Licensee Coordination with Offsite Response Organizations During Hostile Actions
5. Protection for Onsite Personnel
6. Challenging Drills and Exercises

B. Non-Security Related EP Issues

1. Backup Means for Alert and Notification Systems
2. Emergency Declaration Timeliness
3. Emergency Operations Facility – Performance Based Approach
4. Evacuation Time Estimate Updating
5. Amended Emergency Plan Change Process
6. Removal of Completed One-Time Requirements

AX45
FSME20
NM5526

This discussion in the Federal Register refers to some of these new or changed requirements as applicable to “nuclear power reactor licensees.” Other aspects of the rule are discussed with regard to applicability to “non-power reactor licensees.” The issues identified above which apply only to “nuclear power reactor licensees” are: A.1 through A.5, portions of A.6, and B.1 through B.4. 10CFR 50.4 define the terms: “nuclear reactor” and “non-power reactor.” Neither of these definitions characterize licensees that have submitted certifications to permanently cease operations and permanently remove fuel from the reactor, pursuant to 10 CFR 50.82(a), such as *ZionSolutions*. Therefore, while *ZionSolutions* holds operating licenses, these licenses no longer authorize operation of the reactors and thus it could be argued that the new or changed rules described in the subject are not applicable to the Zion Nuclear Power Station (ZNPS) site, because of its 50.82 certification submission.

Furthermore, the Federal Register notice references a completed backfit analysis for the final rule. This Backfit Analysis, dated September 1, 2010 (Reference 2), is based upon the assumption that 65 power reactor sites and 32 non-power reactor sites are affected by this rule. According to Section 3.2.4 of this analysis, the information used in the analysis was taken from NUREG-1350, Vol. 21, NRC Information Digest, 2009-2010 Edition (Reference 3). A review of this Digest Edition reveals that the analysis did not consider decommissioning or decommissioned sites, i.e., such as the Zion Nuclear Power Station.

Nonetheless, a review of the revised rule was conducted against the current license basis and NRC approved exemptions on Emergency Planning. The review determined that additional exemptions from portions of 10CFR Part 50 may be appropriate. While *ZionSolutions* believes that the existing Emergency Planning exemptions continue to apply to the regulations as modified and augmented, *ZionSolutions* is requesting an explicit exemption for some of the aspects of the new rule to clarify the license basis.

Pursuant to 10 CFR 50.12, “Specific Exemptions,” *ZionSolutions* is requesting NRC approval of an exemption from certain requirements of 10 CFR 50.47 and 10 CFR 50, Appendix E. Enclosure 1, “Exemption Request,” identifies the specific requirements in the regulations that are the subject of the exemption request and contains the associated justifications. The regulations are grouped together according to the six security related emergency planning (EP) issues and six non-security related EP issues described above.

Enclosure 2, “Zion Compliance Matrix for Emergency Plan” identifies the regulations in order, compares the previous version of the regulation to the new rule and identifies the previous regulation as previously exempted with references to the relevant correspondence and license controlled documents.

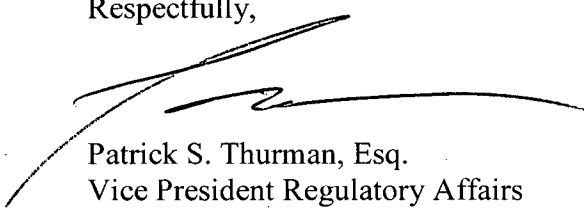
ZionSolutions has determined that this exemption request and its impact on the corresponding emergency plan is authorized by law, will not present an undue risk to the public health and safety and is consistent with the common defense and security in accordance with 10CFR50.12. Thus *ZionSolutions*’ intent in submitting this exemption request is to maintain the current regulatory structure prior to the Enhancements to Emergency Preparedness Regulations and, therefore, does not propose any changes to the Emergency Plan or implementing procedures other than simple regulatory reference changes that can be implemented under 10 CFR 50.54(q).

While this exemption request is pending with the NRC Staff, ZionSolutions requests enforcement discretion as to any potential noncompliance issues that would arise if it is determined that the new regulations apply to the ZNPS.

This submittal contains no new regulatory commitments or revisions to existing commitments.

We are requesting approval of the exemption at your earliest convenience. If you should have any questions regarding this submittal, please contact Chris Baker at (224) 789-4012.

Respectfully,



Patrick S. Thurman, Esq.
Vice President Regulatory Affairs
ZionSolutions, LLC

References:

- 1) Enhancements to Emergency Preparedness Regulations (76 Federal Register (FR) 72560) dated November 23, 2011, effective December 23, 2011 for implementation June 20, 2012 with exceptions.
- 2) Regulatory Analysis and Backfit Analysis, Final Rulemaking: Enhancements to Emergency Preparedness Regulations (10 CFR Parts 50 and 52), U.S. NRC, dated August 4, 2011.
- 3) NUREG-1350, Volume 21, NRC Information Digest 2009-2010 Edition, U.S. NRC, August 2009.

Enclosures: (1) Exemption Request
(2) Zion Compliance Matrix for Emergency Plan

cc: John Hickman, U.S. NRC Senior Project Manager
L. Raynard Wharton, U.S. NRC Senior Project Manager
Regional Administrator, U.S. NRC Region III
Service List (w/o Enclosures 1 and 2)

Zion Nuclear Power Station, Unit 1 and 2 License Transfer Service List

cc:

Mr. Patrick T. Daly
Senior VP and General Manager
ZionSolutions, LLC
101 Shiloh Boulevard
Zion, IL 60099

Patrick Thurman, Esq.
VP Regulatory Affairs, Licensing and
Document Control
ZionSolutions, LLC
101 Shiloh Boulevard
Zion, IL 60099

Gary Bouchard
VP Engineering, Ops & Nuclear Security
and Decommissioning Plant Manager
ZionSolutions, LLC
101 Shiloh Boulevard
Zion, IL 60099

Alan Parker
President Government Group
EnergySolutions
800 Oak Ridge Turnpike, Ste. A-402
Oak Ridge, TN 37830

Thomas Magette
Senior VP Nuclear Regulatory Strategy
EnergySolutions
6350 Stevens Forest Road, Ste. 2000
Columbia, MD 21046

Russ Workman
Deputy General Counsel
EnergySolutions
423 West 300 South, Ste. 200
Salt Lake City, UT 84101

Illinois Department of Nuclear Safety
Office of Nuclear Facility Safety
1035 Outer Park Drive
Springfield, IL 62704

Mr. Kent McKenzie
Emergency Management Coordinator
Lake County Emergency Management Agency
1303 N. Milwaukee Avenue
Libertyville, IL 60048-1308

Regional Administrator
U.S. NRC, Region III
2443 Warrenville Road
Lisle, IL 60532-4352

John E. Matthews
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Zion*Solutions*, LLC
ZS-2012-0307
Enclosure 1

Exemption Request

Introduction

ZionSolutions, LLC (ZionSolutions) is the holder of Facility Operating License Nos. DPR-39 and DPR-48 which authorize the licensee to possess and store spent nuclear fuel and Greater-than-Class C (GTCC) radioactive waste at the Zion Nuclear Power Station (ZNPS) Unit Nos. 1 and 2.

On November 23, 2011, the NRC issued a Final Rule promulgating Enhancements to Emergency Preparedness Regulations in the Federal Register (Ref. 1). Pursuant to the Final Rule, licensees are permitted to defer implementation of the final rule until June 20, 2012 with some exceptions. The final rule was described in the Federal Register in terms of six security related emergency planning (EP) issues and six non-security related EP issues.

On August 31, 1999, the NRC issued an exemption (Ref. 2) from certain requirements of 10 CFR 50.47 and Appendix E to 10 CFR Part 50 for the ZNPS based upon requests submitted on April 13, 1999 (Ref. 3) and supplemented on July 8, 1999 (Ref. 7). This exemption was issued to discontinue offsite emergency planning activities and to reduce the scope of onsite emergency planning as a result of the permanently shutdown and defueled status of the facility. The staff concluded that the licensee's request for an exemption was acceptable in view of the greatly reduced offsite radiological consequences associated with the permanently shutdown facility status. The staff found that the postulated dose to the general public from any reasonably conceivable accident would not exceed the Environmental Protection Agency Protective Action Guides (EPA PAGs) and, for the bounding accident, the length of time available to respond to a loss of spent fuel cooling or reduction in water level gives confidence that offsite measures for the public could be taken without preparation.

As part of completing decommissioning, all spent fuel and GTCC waste will be transferred to an onsite Independent Spent Fuel Storage Installation (ISFSI), further minimizing the potential for offsite radiological consequences.

ZionSolutions requests that the NRC transfer the previously approved exemption and compliance basis to the new rule or grant new exemptions, as appropriate.

Discussion

ZionSolutions has reviewed each relevant section of 10 CFR 50.47 and 10 CFR 50, Appendix E and created a compliance matrix for the facility in Enclosure 2. This matrix provides a detailed compliance discussion for each section and subsection of 10 CFR 50.47(b), and Part 50 Appendix E in order to determine whether that portion of the regulation is applicable to the ZNPS and, if so, whether an exemption is needed. In the portions of the regulation where an exemption is needed, the compliance matrix notes if an existing exemption is present.

Based upon the compliance matrix review, the following exemptions are requested in order to provide clarity for ZionSolutions and to ensure an unambiguous license basis. The exemption requests are grouped together according to the order of appearance in the matrix and multiple

sections requiring an exemption for the same item are grouped together according to the six security related emergency planning (EP) issues and six non-security related EP issues discussed in the Federal Register notice (Ref. 1). The previous exemptions for portions of the regulation are indicated by a line out with normal print. The new regulation language and the proposed exemptions are also indicated by a line out with bold print.

A. Security Related EP Issues

A.1 On-Shift Staffing Analysis

ZionSolutions requests an exemption from the NRC requirements to perform a detailed analysis to show that on-shift personnel assigned emergency plan implementation functions were not assigned any responsibilities that would prevent them from performing their assigned emergency plan functions. These requirements are found in the following references of Title 10 of the Code of Federal Regulations.

Specific regulations subject to this request for exemption

10 CFR Part 50, Appendix E, Section. IV.A.9 exempt in its entirety.

Justification

It is not necessary for ZionSolutions to perform this analysis, since the shift staffing at the ZNPS is small, commensurate with the need to operate the facility in a manner protective of public health and safety. Similar to a non-power reactor, the responsibilities are well outlined in the emergency plan and procedures, tested through drills and exercises regularly and audited/inspected by the licensee and the NRC. These measures ensure that on-shift personnel assigned emergency plan implementation functions are not assigned any responsibilities that would prevent them from performing their assigned functions without performing a detailed analysis.

A.2 Emergency Action Levels for Hostile Action

ZionSolutions requests an exemption from the NRC requirements to include, in emergency action levels, hostile actions that may adversely affect the nuclear power plant. These requirements are found in the following references of Title 10 of the Code of Federal Regulations.

Specific regulations subject to this request for exemption

10 CFR 50.47(b)(4) A standard emergency classification and action level scheme, the bases of which include facility system and effluent parameters, is in use by the nuclear facility licensee, ~~and State and local response plans call for reliance on information provided by facility licensees for determinations of minimum initial offsite response measures.~~ (Previously issued by NRC on August 31, 1999)

10 CFR Part 50 Appendix E, Section. IV.B.1 exempt as indicated below:

1. The means to be used for determining the magnitude of, and for continually assessing the impact of, the release of radioactive materials shall be described, including emergency action levels that are to be used as criteria for determining the need for notification and participation of local and State agencies, the Commission, and other Federal agencies, and the emergency action levels that are to be used for determining when and what type of protective measures should be considered within ~~and outside~~ (Previously issued by NRC on August 31, 1999) the site boundary to protect health and safety. The emergency action levels shall be based on in-plant conditions and instrumentation in addition to onsite ~~and offsite~~ (Previously issued by NRC on August 31, 1999) monitoring. **~~By June 20, 2012, for nuclear power reactor licensees, these action levels must include hostile action that may adversely affect the nuclear power plant.~~** The initial emergency action levels shall be discussed and agreed on by the applicant or licensee and state and local governmental authorities, and approved by the NRC. Thereafter, emergency action levels shall be reviewed with the State and local governmental authorities on an annual basis.

Justification

On August 31, 1999, the NRC issued an exemption from portions of 10 CFR 50.47(b)(4) as indicated above, regarding the need for State and local plans to rely on information provided by the licensee for offsite response measures. In the same letter, the NRC also issued an exemption from portions of 10 CFR Part 50, Appendix E, Section IV.B, as indicated above, from the requirement to base emergency action levels on offsite monitoring results and considerations of protective measures outside the site boundary. These exemptions continue to apply to ZionSolutions in the new rule.

ZionSolutions is further requesting an exemption from the new rule requiring action levels to include hostile action that may adversely affect the nuclear power plant as indicated in the markup above. This request is justified, in part, because the regulatory documents that form the basis of the new requirement do not apply to ZionSolutions. This requirement is based upon Order EA-02-026 (Ref. 4) and NRC Bulletin 2005-02 "Emergency Preparedness and Response Actions for Security-Based Events" (Ref. 5), neither of which apply to ZionSolutions. NRC Bulletin 2005-02 applies to all holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been removed from the reactor vessel.

Alternatively, ZionSolutions currently includes a security related event in the Emergency Classification Initiating Conditions to declare an Unusual Event for a "HU1 - Confirmed Security Event with Potential Loss of Level of Safety of the Plant" or an Alert for a "HA1 - Confirmed Security Event in the Fuel Building." This exemption is justified in view of this alternative and based upon the greatly reduced offsite consequences associated with the current plant status.

A.3 Emergency Response Organization Augmentation and Alternate Facilities

ZionSolutions requests an exemption from the NRC requirements to provide alternate facilities that meet hostile action accessibility criteria. These requirements are found in the following references of Title 10 of the Code of Federal Regulations.

Specific regulations subject to this request for exemption

10 CFR Part 50, Appendix E, Section IV.E.8.d exempt in its entirety.

Justification

On August 31, 1999, the NRC issued an exemption from portions of 10 CFR Part 50, Appendix E, Section IV.E, as indicated above, from the requirement to provide for a near-site emergency operations facility. In support of this exemption request via letter dated April 13, 1999 (Ref. 3), ZNPS stated that offsite emergency response capability and the technical support center are no longer appropriate as no design basis accident can result in radioactive releases which exceed EPA's protective action guides at the site boundary. This exemption continues to apply to the ZNPS in the new rule (Ref. 1) and, thereby, also renders ZionSolutions exempt from 10 CFR Part 50, Appendix E, Section IV.E.8.d, in its entirety. However, ZionSolutions requests that the NRC issue an exemption from these requirements to explicitly clarify the licensing basis. This exemption is justified based upon the greatly reduced offsite consequences associated with the current plant status.

In addition, an exemption from 10 CFR Part 50, Appendix E, Section IV.E.8.d is justified, in part, because the regulatory documents that form the basis of the new requirement do not apply to ZionSolutions. This requirement is based upon Order EA-02-026 and NRC Bulletin 2005-02 "Emergency Preparedness and Response Actions for Security-Based Events", neither of which apply to ZionSolutions. NRC Bulletin 2005-02 applies to all holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been removed from the reactor vessel.

A.4 Licensee Coordination with Offsite Response Organizations During Hostile Action

ZionSolutions requests an exemption from the NRC requirements to include in the licensee's emergency plan a description of the assistance expected from State, local and Federal agencies with responsibilities for coping with emergencies, including hostile action at the site. These requirements are found in the following references of Title 10 of the Code of Federal Regulations.

Specific regulations subject to this request for exemption

10 CFR Part 50, Appendix E, Section. IV.A.7

7. ~~By June 23, 2014, identification of, and a description of the~~ assistance expected from, appropriate State, local, and Federal agencies with responsibilities for coping with emergencies, ~~including hostile action at the site. For purposes of this appendix, "hostile action" is defined as an act directed toward a nuclear power plant or its personnel that includes the use of violent force to destroy equipment, take hostages, and/or intimidate the licensee to~~

~~achieve an end. This includes attack by air, land, or water using guns, explosives, projectiles, vehicles, or other devices used to deliver destructive force.~~

Justification

An exemption from 10 CFR Part 50, Appendix E, Section IV.A.7 is justified, in part, because the regulatory documents that form the basis of the new requirement do not apply to ZionSolutions. This requirement is based upon Order EA-02-026 and NRC Bulletin 2005-02 "Emergency Preparedness and Response Actions for Security-Based Events", neither of which apply to ZionSolutions. NRC Bulletin 2005-02 applies to all holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been removed from the reactor vessel.

Similar to non-power reactor licensees, ZionSolutions still identifies in its emergency plan the offsite response organizations that would respond to an emergency and the assistance expected from these resources, including those for hostile actions. This exemption is justified based upon the greatly reduced offsite consequences associated with the current plant status and the existing provisions of the emergency plan.

A.5 Protection for Onsite Personnel

ZionSolutions requests an exemption from the NRC requirements to provide a range of protective actions to protect onsite personnel, during hostile action to ensure the continued ability to safely shutdown the reactor and perform the functions of the emergency plan. These requirements are found in the following references of Title 10 of the Code of Federal Regulations.

Specific regulations subject to this request for exemption

10 CFR 50.47(b)(10) exempt in its entirety (*Previously issued by NRC on August 31, 1999*)

10 CFR Part 50, Appendix E, Section IV.1

The applicant's emergency plans shall contain, but not necessarily be limited to, information needed to demonstrate compliance with the elements set forth below, *i.e.*, organization for coping with radiological emergencies, assessment actions, activation of emergency organization, notification procedures, emergency facilities and equipment, training, maintaining emergency preparedness, recovery, ~~and onsite protective actions during hostile action~~. In addition, the emergency response plans submitted by an applicant for a nuclear power reactor operating license under this part, or for an early site permit (as applicable) or combined license under 10 CFR part 52, shall contain information needed to demonstrate compliance with the standards described in § 50.47(b), and they will be evaluated against those standards.

10 CFR Part 50, Appendix E, Section IV.I Onsite Protective Actions During Hostile Action

~~By June 20, 2012, for nuclear power reactor licensees, a range of protective actions to protect onsite personnel during hostile action must be developed to ensure the continued ability of the licensee to safely shut down the reactor and perform the functions of the licensee's emergency plan.~~

Justification

On August 31, 1999, the NRC issued an exemption from 10 CFR 50.47(b)(10) in its entirety, as indicated above, from the requirement to develop protective actions for the plume exposure and ingestion pathway EPZs. This exemption was based upon the ZNPS letter dated April 13, 1999 which stated that offsite emergency response capability is no longer appropriate as no design basis accident or credible beyond design basis accident can result in radioactive releases which exceed EPA's protective actions guides at the site boundary. On January, 19, 2001 (66FR5440) (Ref. 6), the NRC added a requirement to add considerations on the prophylactic use of potassium iodide (KI) to the possible protective action. ZNPS considered the previously issued exemption to apply to that added requirement.

ZionSolutions considers this exemption to continue to apply to the new requirement in the new rule, namely 10 CFR Part 50, Appendix E, Section IV.1 and, thereby, also renders ZionSolutions exempt from 10 CFR Part 50, Appendix E, Section. IV.I in its entirety. However, ZionSolutions requests that the NRC issue an exemption from these requirements to explicitly clarify the licensing basis. This exemption is justified based upon the greatly reduced offsite consequences associated with the current plant status.

An exemption from 10 CFR Part 50, Appendix E, Section IV.1 is justified, in part, because the regulatory documents that form the basis of the new requirement do not apply to ZionSolutions. This requirement is based upon Order EA-02-026 and NRC Bulletin 2005-02 "Emergency Preparedness and Response Actions for Security-Based Events", neither of which apply to ZionSolutions. NRC Bulletin 2005-02 applies to all holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been removed from the reactor vessel. Furthermore, because the Zion reactors are permanently shut down and defueled, there is no need to ensure the continued ability to safely shutdown the reactor. The current plans and procedures provide sufficient assurance of the capability to perform the functions of the emergency plan.

A.6. Challenging Drills and Exercises

ZionSolutions requests an exemption from the NRC requirements to 1) submit exercise scenarios under 10CFR50.4 at least 60 days before use, 2) include in exercise and drill scenarios a spectrum of radiological releases and events, including hostile action, 3) emphasize in exercise and drill scenarios coordination among onsite and offsite response organizations, 4) demonstrate ERO proficiency in all of the key skills necessary to implement the principal functional areas of emergency response and 5) conduct exercises in accordance with an eight-year exercise cycle.

These requirements are found in the following references of Title 10 of the Code of Federal Regulations.

Specific regulations subject to this request for exemption

10 CFR Appendix E, Section IV.F.2.a A full participation⁴ exercise which tests as much of the licensee, State, and local emergency plans as is reasonably achievable without mandatory public participation shall be conducted for each site at which a power reactor is located. ~~Nuclear power reactor licensees shall submit exercise scenarios under § 50.4 at least 60 days before use in a full participation exercise required by this paragraph 2.a.~~

10 CFR Appendix E, Section IV.F.2.b Each licensee at each site shall conduct a subsequent exercise of its onsite emergency plan every 2 years. ~~Nuclear power reactor licensees shall submit exercise scenarios under § 50.4 at least 60 days before use in an exercise required by this paragraph 2.b.~~ The exercise may be included in the full participation biennial exercise required by paragraph 2.c. of this section. In addition, the licensee shall take actions necessary to ensure that adequate emergency response capabilities are maintained during the interval between biennial exercises by conducting drills, including at least one drill involving a combination of some of the principal functional areas of the licensee's onsite emergency response capabilities. The principal functional areas of emergency response include activities such as management and coordination of emergency response, accident assessment, **event classification, notification of offsite authorities, assessment of the onsite and offsite impact of radiological releases, protective action recommendation development**, protective action decision making, plant system repair and **mitigative action implementation**. During these drills, activation of all of the licensee's emergency response facilities (~~Technical Support Center (TSC), Operations Support Center (OSC), and the Emergency Operations Facility (EOF)~~) would not be necessary, licensees would have the opportunity to consider accident management strategies, supervised instruction would be permitted, operating staff in all participating facilities would have the opportunity to resolve problems (success paths) rather than have controllers intervene, and the drills may focus on the onsite exercise training objectives.

10 CFR Appendix E, Section IV.F.2.c & d exempt in its entirety (*Previously issued by NRC on August 31, 1999*)

10 CFR Appendix E, Section IV.F.2.i Licensees shall use drill and exercise scenarios that provide reasonable assurance that anticipatory responses will not result from preconditioning of participants. ~~Such scenarios for nuclear power reactor licensees must include a wide spectrum of radiological releases and events, including hostile action.~~ Exercise and drill scenarios as appropriate must emphasize coordination among onsite and offsite response organizations.

10 CFR Appendix E, Section IV.F.2.j exempt in its entirety

Justification

On August 31, 1999, the NRC issued an exemption from 10 CFR Appendix E, Section. IV.F. from the following exercise and drill scenario requirements:

F.1.viii – Delete Headquarters support personnel and local news media persons from the list of categories of emergency personnel who will be provided training.

F.2 – Eliminate the requirement to test the public notification system as part of emergency preparedness exercises.

F.2.b – Eliminate the reference to specific emergency response facilities, Technical Support Center, Operations Support Center and the Emergency Operations Facility.

F.2.c – Remove the requirement for a biennial exercise with full participation of offsite authorities.

F.2.d – Remove the requirement for an ingestion pathway exercise.

F.2.e – Replace the phrase “located within the plume exposure pathway EPZ” with “support services” to modify and clarify the governmental entities who would be permitted to participate in emergency preparedness drills.

F.2.f – Eliminate reference to the Federal Emergency Management Agency (FEMA) and State and local participation in remedial exercises.

This exemption was based upon ZNPS’s letter dated April 13, 1999 which stated that offsite emergency response capability is no longer appropriate as no design basis accident or credible beyond design basis accident can result in radioactive releases which exceed EPA’s protective action guides at the site boundary. *ZionSolutions* considers that this exemption continues to apply to the ZNPS in many aspects of the new rule and, thereby, also renders *ZionSolutions* exempt from 10 CFR Appendix E, Section. IV.F.2.c, d and j (as modified by the new rule) exempt in its entirety and other portions of Section IV.F as indicated above. However, *ZionSolutions* requests that the NRC issue an exemption from these requirements to explicitly clarify the licensing basis. This exemption is justified based upon the greatly reduced offsite consequences associated with the current plant status.

The request for exemption from the requirement for nuclear power reactor licensees to submit exercise scenarios under § 50.4 at least 60 days before use in a full participation exercise required by this paragraph 2.a is justified, in part, because *ZionSolutions* is already exempt from the requirement to hold a full participation exercise. In addition, this requirement applies to “nuclear power reactor licensees.” This term does not address licensees that have submitted certifications to permanently cease operations and permanently remove fuel from the reactor, pursuant to 10 CFR 50.82(a), such as *ZionSolutions*. While *ZionSolutions* holds operating licenses, those licenses no longer authorize operation of the reactor and thus this requirement should be subject to the previously authorized exemption for the previously accepted basis.

Accordingly, ZionSolutions requests that the NRC issue an exemption from this requirement to explicitly clarify the licensing basis.

The request for exemption from the requirement that scenarios for nuclear power reactor licensees must include a wide spectrum of radiological releases and events, including hostile action” is justified, in part, because the term nuclear power reactor licensee does not sufficiently address the status of ZNPS, as described above. Furthermore, this requirement is based, in part, on NRC Bulletin 2005-02 “Emergency Preparedness and Response Actions for Security-Based Events,” which does not apply to ZionSolutions. NRC Bulletin 2005-02 applies to all holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been removed from the reactor vessel. Accordingly, ZionSolutions requests that the NRC issue an exemption from this requirement to explicitly clarify the licensing basis.

B. Non-Security Related EP Issues

B.1 Backup Means for Alert and Notification Systems

ZionSolutions requests an exemption from the NRC requirements to require backup power for sirens or other backup ANS alerting capabilities. These requirements are found in the following references of Title 10 of the Code of Federal Regulations.

Specific regulations subject to this request for exemption

10 CFR Part 50 Appendix E, Section IV.D.3 (*Previously issued by NRC on August 31, 1999*)

A licensee shall have the capability to notify responsible State and local governmental agencies within 60 15 minutes after declaring an emergency. ~~The licensee shall demonstrate that the appropriate governmental authorities have the capability to make a public alerting and notification decision promptly on being informed by the licensee of an emergency condition.~~ **Prior to initial operation greater than 5 percent of rated thermal power of the first reactor at a site, each nuclear power reactor licensee shall demonstrate that administrative and physical means have been established for alerting and providing prompt instructions to the public within the plume exposure pathway EPZ. The design objective of the prompt public alert and notification system shall be to have the capability to essentially complete the initial alerting and initiate notification of the public within the plume exposure pathway EPZ within about 15 minutes. The use of this alerting and notification capability will range from immediate alerting and notification of the public (within 15 minutes of the time that State and local officials are notified that a situation exists requiring urgent action) to the more likely events where there is substantial time available for the appropriate governmental authorities to make a judgment whether or not to activate the public alert and notification system. The alerting and notification capability shall additionally include administrative and physical means for a backup method of public alerting and notification capable of being used in the event the primary method of alerting and notification is unavailable during an emergency to alert or notify all or portions of the plume exposure pathway EPZ population. The backup method shall have the capability to alert and notify the public within the plume exposure pathway**

~~EPZ, but does not need to meet the 15 minute design objective for the primary prompt public alert and notification system. When there is a decision to activate the alert and notification system, the appropriate governmental authorities will determine whether to activate the entire alert and notification system simultaneously or in a graduated or staged manner. The responsibility for activating such a public alert and notification system shall remain with the appropriate governmental authorities.~~

Justification

On August 31, 1999, the NRC issued an exemption from 10 CFR Part 50 Appendix E, Section IV.D.3, as indicated above, from the requirement to demonstrate that State/local officials have the capability to make public notification promptly, and changed the time for notification of State and local agencies to within 30 minutes and the NRC within 1 hour after declaring an emergency. This exemption was based upon ZNPS's letter dated April 13, 1999 which stated that offsite emergency response capability is no longer appropriate as no design basis accident or credible beyond design basis accident can result in radioactive releases which exceed EPA's protective action guides at the site boundary. ZionSolutions considers that this exemption continues to apply to the ZNPS as modified by the new rule and, thereby, also automatically renders ZionSolutions exempt from the portions of 10 CFR Appendix E, Section. IV.D.3 indicated above. However, ZionSolutions requests that the NRC issue an exemption from these requirements to explicitly clarify the licensing basis. This exemption is justified based upon the greatly reduced offsite consequences associated with the current plant status.

B.2 Emergency Declaration Timeliness

ZionSolutions requests an exemption from the NRC requirements to establish and maintain the capability to assess, classify and declare an emergency condition within 15 minutes... These requirements are found in the following references of Title 10 of the Code of Federal Regulations.

Specific regulations subject to this request for exemption

10 CFR Part 50, Appendix E, Section IV.C.2 exemption in its entirety.

Justification

The request for exemption from the requirement for nuclear power reactor licensees to establish and maintain the capability to assess, classify and declare an emergency condition within 15 minutes is justified, in part, because this requirement applies to "nuclear power reactor licensees." This term does not sufficiently address licensees that have submitted certifications to permanently cease operations and permanently remove fuel from the reactor, pursuant to 10 CFR 50.82(a), such as ZionSolutions. While ZionSolutions holds operating licenses, those licenses no longer authorize operation of the reactor and thus this requirement should not apply. Nonetheless, ZionSolutions requests that the NRC issue an exemption from this requirement to explicitly clarify the licensing basis.

Furthermore, on August 31, 1999, the NRC issued an exemption from 10 CFR Part 50 Appendix E, Section IV.D.3, to increase the time for notification of State and local agencies to within 30 minutes and the NRC within 1 hour after declaring an emergency. In the accompanying, safety evaluation report, the NRC noted that the length of time involved in the bounding accident provides confidence that offsite protective measures for the public could be taken, if necessary, without the need for preplanning. Therefore, this exemption is justified based upon the greatly reduced offsite consequences associated with the current plant status.

B.3. Emergency Operations Facility – Performance Based Approach

ZionSolutions requests an exemption from the NRC requirements to have an operational support center and emergency operational facility. Specifically, the newly promulgated distance criteria, performance based criteria and hostile action accessibility criteria are not applicable. These requirements are found in the following references of Title 10 of the Code of Federal Regulations.

Specific regulations subject to this request for exemption

10 CFR Part 50, Appendix E, Section IV.E.8.

8.a. (i) A licensee onsite technical support center ~~and an emergency operations facility~~ from which effective direction can be given and effective control can be exercised during an emergency; *(Previously issued by NRC on August 31, 1999)*

8.a (ii), b, and c, exempt in its entirety.

Justification

On August 31, 1999, the NRC issued an exemption from portions of 10 CFR Part 50, Appendix E, Section IV.E from the requirement to provide for a near-site emergency operations facility. Offsite emergency response capability and the technical support center are no longer appropriate as no design basis accident can result in radioactive releases which exceed EPA's protective action guides at the site boundary. This exemption continues to apply to the ZNPS in the new rule and, thereby, also renders ZionSolutions exempt from 10 CFR Part 50, Appendix E, Section IV.E.8. a (ii), b, c, and d, in its entirety. However, ZionSolutions requests that the NRC issue an exemption from these requirements to explicitly clarify the licensing basis. This exemption is justified based upon the greatly reduced offsite consequences associated with the current plant status.

B.4 Evacuation Time Estimates (ETE) Updating

ZionSolutions requests an exemption from the NRC requirements to develop and update evacuation time estimates. These requirements are found in the following references of Title 10 of the Code of Federal Regulations.

Specific regulations subject to this request for exemption

50.47(b)(10) & App E, Sec. IV.3-6

10 CFR 50.47(b)(10) exempt in its entirety (*Previously issued by NRC on August 31, 1999*)

10 CFR Part 50, Appendix E, Section IV.2 (*Previously issued by NRC on August 31, 1999*)

10 CFR Part 50, Appendix E. Section IV.3 through 6 exempt in its entirety

Justification

On August 31, 1999, the NRC issued an exemption from 10 CFR 50.47(b)(10) in its entirety, as indicated above, from the requirement to develop protective actions for the plume exposure and ingestion pathway EPZs. Offsite emergency response capability is no longer appropriate as no design basis accident or credible beyond design basis accident can result in radioactive releases which exceed EPA's protective actions guides at the site boundary. On January, 19, 2001 (66FR5440), the NRC added a requirement to add considerations of the prophylactic use of potassium iodide (KI) to the possible protective action. ZNPS considered the previously issued exemption to apply to that added requirement.

In the same letter, the NRC also issued an exemption from 10 CFR Part 50, Appendix E, Section IV to provide an analysis of the time required to evacuate and for taking other protective actions for various sectors and distances within the plume exposure pathway EPZ for transient and permanent populations. This requirement has been renumbered as 10 CFR Part 50, Appendix E, Section IV.2 and augmented in the new rule.

ZionSolutions considers this exemption to apply to the new requirement in the new rule, namely 10 CFR 50.47(b)(10) and 10 CFR Part 50, Appendix E, Section. IV.2 and thereby also renders ZionSolutions exempt from 10 CFR Part 50, Appendix E, Section. IV.3-6 in its entirety.

However, ZionSolutions requests that the NRC issue an exemption from these requirements to explicitly clarify the licensing basis. This exemption is justified based upon the greatly reduced offsite consequences associated with the current plant status.

Summary of Exemptions Requested

Based on the above discussion, application of all of the requirements in 10 CFR 50.47(b) and Appendix E to 10 CFR Part 50 is not necessary to achieve the underlying purpose of those rules in view of the greatly reduced offsite radiological consequences associated with the current plant status. The requested exemptions are justified, in part because offsite emergency response capability is no longer appropriate as no design basis accident or credible beyond design basis accident can result in radioactive releases which exceed EPA's protective actions guides at the site boundary.

The Requested Exemption is Authorized By Law

The NRC has the authority under the Atomic Energy Act to grant exemptions from its regulations if doing so would not violate the requirements of law. The exemption is authorized by law as is required by 10 CFR 50.12. No law exists that precludes the activities covered by this exemption request. The provisions of 10 CFR 50.47 and 10 CFR 50, Appendix E were adopted

at the discretion of the Commission consistent with its statutory authority. No statute required the NRC to adopt the specific provisions from which *ZionSolutions* seeks an exemption. Rather, the NRC may determine that alternative means are adequate to provide reasonable assurance of safety.

The Requested Exemption Will Not Present an Undue Risk to the Public Health and Safety, and is Consistent with the Common Defense and Security

The exemption request would permit *ZionSolutions* to continue to implement emergency planning requirements commensurate with the reduced risk associated with a plant undergoing decommissioning including the planned, near-term movement of the spent fuel from the fuel pool to a stand-alone Independent Spent Fuel Storage Installation. Thus the requested exemption will not present an undue risk to the public health and safety and is consistent with the common defense and security.

The Requested Exemption is in the Public Interest

The requested exemption is in the public interest, because it will allow *ZionSolutions* to implement a safe approach to maintaining onsite emergency planning without the need by *ZionSolutions* for new systems, equipment, and training programs at a substantial cost without any added safety benefit. Therefore, granting the exemption is in the public interest.

Environmental Assessment

In accordance with 10 CFR 51.30 and 51.32, the following information is provided in support of an environmental assessment and finding of no significant impact for the proposed action.

The proposed action would grant an exemption from certain requirements of 10 CFR 50.47 and 10 CFR Part 50 Appendix E, which contain requirements for emergency planning. Specifically, the exemption will eliminate unnecessary requirements associated with offsite consequences, protective actions, hostile action and emergency facilities in light of the current status of the ZNPS.

Pursuant to 10 CFR 50.82, the ZNPS poses a significantly reduced risk to public health and safety from design basis accidents or credible beyond design basis accidents since these cannot result in radioactive releases which exceed EPA's protective actions guides at the site boundary. Because of this reduced risk, compliance with all the requirements in 10 CFR 50.47 and 10 CFR Part 50 Appendix E is not appropriate. The requested exemption from portions of 10 CFR 50.47 and 10 CFR Part 50 Appendix E is needed to continue decommissioning of the ZNPS and implementing the ZNPS Emergency Plan that is appropriate for a permanently shutdown facility and is commensurate with the reduced risk posed by the facility. The requested exemption will allow safe storage of spent fuel storage to continue without imposing burdensome and costly new requirements that provide no increased safety benefit.

The principle alternative to the proposed action would be to deny the requested exemption. Denial of the exemption request would result in no change in environmental impacts. Concerning alternative use of resources, granting the requested exemption will not involve the use of resources not previously considered in the Final Environmental Statement for the new Emergency Planning Rule. The proposed action (i.e., granting the exemption) will not increase the probability or consequences of accidents, no changes are being made in the types or quantities of effluents that may be released offsite, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

The proposed action does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological impacts associated with the proposed action. Based on the assessment above, the proposed action will not have a significant effect on the quality of the human environment.

Conclusion

ZionSolutions considers that this exemption request is in accordance with the criteria of 10 CFR 50.12. Maintaining emergency planning requirements at the ZNPS commensurate with an operating reactor facility is not necessary to achieve the underlying basis of 10 CFR 50.47 and 10 CFR Part 50 Appendix E. The radiological risk to the public has been significantly reduced because the ZNPS is a facility that has its spent nuclear fuel stored in a spent fuel pool and is transferring the spent fuel to dry cask storage. There are no adverse environmental impacts associated with this specific exemption.

References

1. Enhancements to Emergency Preparedness Regulations (76 Federal Register (FR) 72560) dated November 23, 2011, effective December 23, 2011 for implementation June 20, 2012 with exceptions.
2. U.S. NRC letter to Commonwealth Edison Company dated August 31, 1999, "Request for Approval of Defueled Station Emergency Plan and Exemption from Certain Requirements of 10 CFR 50.47, Emergency Plan," Zion Nuclear Power Station, Unit Nos. 1 and 2, August 31, 1999.
3. Commonwealth Edison Company letter to the U.S. NRC, "Request for Approval of Defueled Station Emergency Plan and Exemption from Certain Requirements of 10 CFR 50.47, Emergency Plan," dated April 13, 1999.
4. U.S. NRC Letter to All Operating Reactors, "Issuance of Order EA-02-026 for Interim Safeguards and Security Compensatory Measures," February 25, 2002
5. U. S. NRC Bulletin 2005-02: Emergency Preparedness and Response Actions for Security-Based Events, dated July 18, 2005.

6. Consideration of Potassium Iodide in Emergency Plans (66 Federal Register (FR) 5427) dated January 19, 2001, effective date April 19, 2001 for implementation appropriate to the site specific circumstances.
7. Commonwealth Edison Company letter to the U.S. NRC, "Supplemental Information for Request for Approval of Defueled Station Emergency Plan and Exemption from Certain Requirements of 10 CFR 50.47, Emergency Plan," dated July 8, 1999.

Zion Compliance Matrix for Emergency Plan

Applicable Regulatory Requirements		
Section	Requirement	Status of Exemptions
1	10 CFR 50.47 Emergency Plans	Exemptions Noted
2	10 CFR Part 50 Appendix E to Part 50--Emergency Planning and Preparedness for Production and Utilization Facilities	Exemptions Noted

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p style="text-align: center;">Notes</p> <p>1. Language with normal font and lines through represents current exemptions approved on August 31, 1999 and ZionSolutions believes carries forward.</p> <p>2. Language with bold and italic font represents new rule language.</p> <p>3. Language with bold and italic font and lines through represents new rule language and requested exemptions.</p>			
Section 1 – 10 CFR 50.47 Emergency Plans			
(b) The onsite and, except as provided in paragraph (d) of this section, offsite emergency response plans for nuclear power reactors must meet the following standards:	(b) The onsite and, except as provided in paragraph (d) of this section, offsite emergency response plans for nuclear power reactors must meet the following standards:	(b) The onsite and, except as provided in paragraph (d) of this section, offsite emergency response plans for nuclear power reactors must meet the following standards:	<p>On August 31, 1999, the NRC approved Zion's exemption request submitted on April 13, 1999.</p> <p>ZionSolutions complies with this requirement as exempted. See the Zion Defueled Station Emergency Plan (DSEP) and Implementing Procedures</p>
(1) Primary responsibilities for emergency response by the nuclear facility licensee and by State and local organizations within the Emergency Planning Zones have been assigned, the emergency responsibilities of the various supporting organizations have been	(1) Primary responsibilities for emergency response by the nuclear facility licensee and by State and local organizations within the Emergency Planning Zones have been assigned, the emergency responsibilities of the various supporting organizations have been	(1) Primary responsibilities for emergency response by the nuclear facility licensee and by State and local organizations within the Emergency Planning Zones have been assigned, the emergency responsibilities of the various supporting organizations have been	<p>On August 31, 1999, the NRC approved Zion's exemption request submitted on April 13, 1999.</p> <p>ZionSolutions complies with this requirement as exempted. This is the general program</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
specifically established, and each principal response organization has staff to respond and to augment its initial response on a continuous basis.	specifically established, and each principal response organization has staff to respond and to augment its initial response on a continuous basis	specifically established, and each principal response organization has staff to respond and to augment its initial response on a continuous basis.	<p>requirement and ZionSolutions meets this requirement for a permanently shutdown plant. Although we no longer have an EPZ, onsite and offsite organizations have the staff and resources to respond to an onsite emergency, if requested.</p> <p>Chapter 4 of the Emergency Plan describes the responsibilities for the onsite organization. DSEP Section 4.6 also describes the support activities provided by offsite organizations should the need be requested.</p>
(2) On-shift facility licensee responsibilities for emergency response are unambiguously defined, adequate staffing to provide initial facility accident response in key functional areas is maintained at all times, timely augmentation of response capabilities is available and the interfaces among various onsite response activities and offsite support and response activities are specified.	None	(2) On-shift facility licensee responsibilities for emergency response are unambiguously defined, adequate staffing to provide initial facility accident response in key functional areas is maintained at all times, timely augmentation of response capabilities is available and the interfaces among various onsite response activities and offsite support and response activities are specified.	<p>This is the general program requirement and ZionSolutions meets this requirement for a permanently shutdown plant except as noted by the 1999 exemption.</p> <p>Based on the 1999 exemption and the initial DSEP approved by the NRC, no off-site response measures are required.</p> <p>Chapter 4 of the Emergency Plan describes the responsibilities for the onsite organization. DSEP</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p>(3) Arrangements for requesting and effectively using assistance resources have been made, arrangements to accommodate State and local staff at the licensee's near-site Emergency Operations Facility have been made, and other organizations capable of augmenting the planned response have been identified.</p>	<p>(3) Arrangements for requesting and effectively using assistance resources have been made, arrangements to accommodate State and local staff at the licensee's near-site Emergency Operations Facility have been made, and other organizations capable of augmenting the planned response have been identified.</p>	<p>(3) Arrangements for requesting and effectively using assistance resources have been made, arrangements to accommodate State and local staff at the licensee's Emergency Operations Facility have been made, and other organizations capable of augmenting the planned response have been identified.</p>	<p>Section 4.6 also describes the support activities provided by offsite organizations should the need be requested.</p> <p>ZionSolutions meets this requirement to describe the use of support resources, how support is requested and ensuring that they are used effectively, as needed, except as noted by the 1999 exemption.</p> <p>Based on the 1999 exemption, the need for response by State and Local organizations has been eliminated and the Emergency Operations Facility shall no longer be retained. There is no need to accommodate State or Local staff onsite.</p> <p>DSEP Sections 4.4 and 4.6 describe the use of support resources.</p>
<p>(4) A standard emergency classification and action level scheme, the bases of which include facility system and effluent parameters, is in use by the nuclear facility licensee, and State and local response plans call for reliance on</p>	<p>(4) A standard emergency classification and action level scheme, the bases of which include facility system and effluent parameters, is in use by the nuclear facility licensee, and State and local response plans call for reliance on</p>	<p>(4) A standard emergency classification and action level scheme, the bases of which include facility system and effluent parameters, is in use by the nuclear facility licensee, and State and local response plans call for reliance on</p>	<p>ZionSolutions complies with this requirement as exempted.</p> <p>The DSEP includes an emergency classification and action level scheme that is based on NEI 99-01, Revision 4 and Regulatory</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
information provided by facility licensees for determinations of minimum initial offsite response measures.	information provided by facility licensees for determinations of minimum initial offsite response measures.	information provided by facility licensees for determinations of minimum initial offsite response measures.	<p>Guide 1.101 guidance for a permanently shutdown plant. This includes natural phenomena events and accident conditions that could potentially affect the confinement boundary of the spent fuel in the spent fuel pool.</p> <p>Based on the 1999 exemption, no offsite response measures are required. Facility systems and effluents parameters that are related to potential radiological releases are included in the basis for EALs.</p> <p>DSEP Chapter 5 shows the classification and action level scheme.</p>
(5) Procedures have been established for notification, by the licensee, of State and local response organizations and for notification of emergency personnel by all organizations; the content of initial and follow up messages to response organizations and the public has been established; and means to provide early notification and clear instruction to the populace within the plume exposure pathway Emergency	(5) Procedures have been established for notification, by the licensee, of State and local response organizations and for notification of emergency personnel by all organizations; the content of initial and followup messages to response organizations and the public has been established; and means to provide early notification and clear instruction to the populace within the plume exposure pathway	(5) Procedures have been established for notification, by the licensee, of State and local response organizations and for notification of emergency personnel by all organizations; the content of initial and followup messages to response organizations and the public has been established; and means to provide early notification and clear instruction to the populace within the plume exposure pathway	<p>ZionSolutions complies with this requirement as exempted.</p> <p>Based on the 1999 exemption, there are no State and local responses required and no need for notification of emergency personnel by State and local organizations. There is no need for a means to provide early notification and clear instructions to the public within the plume</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
Planning Zone have been established.	Emergency Planning Zone have been established.	Emergency Planning Zone have been established.	exposure pathway EPZ.
(6) Provisions exist for prompt communications among principal response organizations to emergency personnel and to the public.	(6) Provisions exist for prompt communications among principal response organizations to emergency personnel and to the public.	(6) Provisions exist for prompt communications among principal response organizations to emergency personnel and to the public.	<p>ZionSolutions complies with this requirement as exempted.</p> <p>Based on the 1999 exemption, no offsite response measures and no offsite notification of the general public are required.</p> <p>Communications with the public will be via news releases. No capability for prompt communication or telephone calls to the public is required. DSEP Section 6.1, "Notification and Activation" and Section 7.2, "Communications Capabilities" provide direction on communications within the ERO and to outside agencies and the public.</p>
(7) Information is made available to the public on a periodic basis on how they will be notified and what their initial actions should be in an emergency (e.g., listening to a local broadcast station and remaining indoors), the principal points of contact with the news media for	(7) Information is made available to the public on a periodic basis on how they will be notified and what their initial actions should be in an emergency (e.g., listening to a local broadcast station and remaining indoors), the principal points of contact with the news media for dissemination of information during	(7) Information is made available to the public on a periodic basis on how they will be notified and what their initial actions should be in an emergency (e.g., listening to a local broadcast station and remaining indoors), the principal points of contact with the news media for	<p>ZionSolutions complies with this requirement as exempted.</p> <p>Based on the 1999 exemption, periodic mailings to the residents are no longer necessary as they will have no response actions. Contact information for the local</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
dissemination of information during an emergency (including the physical location or locations) are established in advance, and procedures for coordinated dissemination of information to the public are established.	an emergency (including the physical location or locations) are established in advance, and procedures for coordinated dissemination of information to the public are established.	dissemination of information during an emergency (including the physical location or locations) are established in advance, and procedures for coordinated dissemination of information to the public are established.	news media is provided as modified by the 1999 exemption.
(8) Adequate emergency facilities and equipment to support the emergency response are provided and maintained.	None	(8) Adequate emergency facilities and equipment to support the emergency response are provided and maintained.	<p>ZionSolutions complies with this requirement.</p> <p>Overall, administrative controls are provided in DSEP Section 4. Emergency facilities and equipment are described in DSEP Section 7 and provide guidance on maintaining equipment and facilities.</p>
(9) Adequate methods, systems, and equipment for assessing and monitoring actual or potential offsite consequences of a radiological emergency condition are in use.	(9) Adequate methods, systems, and equipment for assessing and monitoring actual or potential offsite consequences of a radiological emergency condition are in use.	(9) Adequate methods, systems, and equipment for assessing and monitoring actual or potential offsite consequences of a radiological emergency condition are in use.	<p>ZionSolutions complies with this requirement as exempted.</p> <p>Based on the 1999 exemption, no offsite response measures are required and no methods, systems, and equipment will be maintained for the determination of actual offsite dose consequences.</p> <p>DSEP Section 6.2 describes actions taken to assess and monitor potential radiological</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p>(10) A range of protective actions has been developed for the plume exposure pathway EPZ for emergency workers and the public. In developing this range of actions, consideration has been given to evacuation, sheltering, and, as a supplement to these, the prophylactic use of potassium iodide (KI), as appropriate. Guidelines for the choice of protective actions during an emergency, consistent with Federal guidance, are developed and in place, and protective actions for the ingestion exposure pathway EPZ appropriate to the locale have been developed.</p>	<p>(10) A range of protective actions have been developed for the plume exposure pathway EPZ for emergency workers and the public. Guidelines for the choice of protective actions during an emergency, consistent with Federal guidance, are developed and in place, and protective actions for the ingestion exposure pathway EPZ appropriate to the locale have been developed.</p>	<p>(10) A range of protective actions has been developed for the plume exposure pathway EPZ for emergency workers and the public. <i>In developing this range of actions, consideration has been given to evacuation, sheltering, and, as a supplement to these, the prophylactic use of potassium iodide (KI), as appropriate. Evacuation time estimates have been developed by applicants and licensees. Licensees shall update the evacuation time estimates on a periodic basis.</i> Guidelines for the choice of protective actions during an emergency, consistent with Federal guidance, are developed and in place, and protective actions for the ingestion exposure pathway EPZ appropriate to the locale have been developed.</p>	<p>emergency conditions.</p> <p>ZionSolutions is exempt from this requirement for offsite actions.</p> <p>Based on the 1999 exemption, the EPZs and associated protective actions are no longer required offsite.</p> <p>Exemption Request needed for new requirement to perform evacuation time estimates. See Enclosure 1, Items A.5 and B.4.</p> <p>DSEP Sections 6.3 and 6.4 of the Emergency Plan and the implementing procedures provide guidance on protective actions for emergency workers onsite.</p>
<p>(11) Means for controlling radiological exposures, in an emergency, are established for emergency workers. The means for controlling radiological exposures shall include exposure guidelines</p>	<p>None</p>	<p>(11) Means for controlling radiological exposures, in an emergency, are established for emergency workers. The means for controlling radiological exposures shall include exposure guidelines</p>	<p>ZionSolutions complies with this requirement.</p> <p>DSEP Section 6.4.3 and the implementing procedures are based on EPA 400-R-92-001,</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
consistent with EPA Emergency Worker and Lifesaving Activity Protective Action Guides.		consistent with EPA Emergency Worker and Lifesaving Activity Protective Action Guides.	Revised 10/91.
(12) Arrangements are made for medical services for contaminated injured individuals.	None	(12) Arrangements are made for medical services for contaminated injured individuals.	ZionSolutions complies with this requirement. DSEP Section 6.4.7 provides the guidance for this requirement. The letters of Agreement for medical services are in place.
(13) General plans for recovery and reentry are developed.	None	(13) General plans for recovery and reentry are developed.	ZionSolutions complies with this requirement. DSEP Section 5 provides information on reentry and recovery actions.
(14) Periodic exercises are (will be) conducted to evaluate major portions of emergency response capabilities, periodic drills are (will be) conducted to develop and maintain key skills, and deficiencies identified as a result of exercises or drills are (will be) corrected.	None	(14) Periodic exercises are (will be) conducted to evaluate major portions of emergency response capabilities, periodic drills are (will be) conducted to develop and maintain key skills, and deficiencies identified as a result of exercises or drills are (will be) corrected.	ZionSolutions complies with this requirement. DSEP Section 8.3 discusses this requirement.
(15) Radiological emergency response training is provided to those who may be called on to assist in an emergency.	None	(15) Radiological emergency response training is provided to those who may be called on to assist in an emergency.	ZionSolutions complies with this requirement. DSEP Section 8.2 provides guidance on this requirement.

Historical Rule Language (Prior to December 23, 2011)	Curent Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
(16) Responsibilities for plan development and review and for distribution of emergency plans are established, and planners are properly trained.	None	(16) Responsibilities for plan development and review and for distribution of emergency plans are established, and planners are properly trained.	ZionSolutions complies with this requirement. DSEP Sections 8.2 and 8.4 describe these requirements.
50.47 (c), (d), and (e)	None	50.47 (c), (d), (e)	These sections are not applicable to ZionSolutions.
Section 2 – 10 CFR Part 50 Appendix E to Part 50--Emergency Planning and Preparedness for Production and Utilization Facilities			
IV. Content of Emergency Plans The applicant's emergency plans shall contain, but not necessarily be limited to, information needed to demonstrate compliance with the elements set forth below, i.e., organization for coping with radiation emergencies, assessment action, activation of emergency organization, notification procedures, emergency facilities and equipment, training, maintaining emergency preparedness, and recovery. In addition, the emergency response plans submitted by an applicant for a nuclear power reactor operating license shall contain information needed to demonstrate compliance with the standards described in § 50.47(b), and they will be evaluated against those standards. The nuclear	IV. Content of Emergency Plans The applicant's emergency plans shall contain, but not necessarily be limited to, information needed to demonstrate compliance with the elements set forth below, i.e., organization for coping with radiation emergencies, assessment action, activation of emergency organization, notification procedures, emergency facilities and equipment, training, maintaining emergency preparedness, and recovery. In addition, the emergency response plans submitted by an applicant for a nuclear power reactor operating license shall contain information needed to demonstrate compliance with the standards described in 50.47(b), and they will be evaluated against those standards. The nuclear	IV. Content of Emergency Plans 1. The applicant's emergency plans shall contain, but not necessarily be limited to, information needed to demonstrate compliance with the elements set forth below, i.e., organization for coping with radiological emergencies, assessment actions, activation of emergency organization, notification procedures, emergency facilities and equipment, training, maintaining emergency preparedness, recovery, and onsite protective actions during hostile action. In addition, the emergency response plans submitted by an applicant for a nuclear power reactor operating license <i>under this part, or for an early site permit (as applicable) or combined license under 10 CFR part 52,</i> shall contain	ZionSolutions complies with this requirement as exempted. ZionSolutions maintains a NRC approved Emergency Plan. Revision 13 of the Zion Defueled Station Emergency Plan was submitted to the NRC on September 21, 2010. Revision 13 reflected the start of decommissioning. Previous exemptions were issued by the NRC on August 31, 1999 to reflect the defueled condition of the reactor with spent fuel in the spent fuel pool. DSAR Section 6.5.1 continues to reference the current applicable Emergency Plan for the site. This discussion and reference is

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
power reactor operating license applicant shall also provide an analysis of the time required to evacuate and for taking other protective actions for various sectors and distances within the plume exposure pathway EPZ for transient and permanent populations.	power reactor operating license applicant shall also provide an analysis of the time required to evacuate and for taking other protective actions for various sectors and distances within the plume exposure pathway EPZ for transient and permanent populations.	information needed to demonstrate compliance with the standards described in 50.47(b), and they will be evaluated against those standards. 2. This nuclear power reactor license applicant shall also provide an analysis of the time required to evacuate various sectors and distances within the plume exposure pathway EPZ for transient and permanent populations, using the most recent U.S. Census Bureau data as of the date the applicant submits its application to the NRC.	contained within DSEP Section 1.1. Exemption Request needed for onsite protective actions during hostile action. See Enclosure 1, Item A.5: Exemption Request needed for evacuation time estimates. See Enclosure 1, Item B.4
		3. Nuclear power reactor licensees shall use NRC approved evacuation time estimates (ETEs) and updates to the ETEs in the formulation of protective action recommendations and shall provide the ETEs and ETE updates to State and local governmental authorities for use in developing offsite protective action strategies.	Exemption Request needed for evacuation time estimates. See Enclosure 1, Item B.4
		4. Within 365 days of the later of the date of the availability of the most recent decennial census data from the U.S. Census Bureau or December 23, 2011, nuclear power reactor licensees shall develop an	Exemption Request needed for evacuation time estimates. See Enclosure 1, Item B.4

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		ETE analysis using this decennial data and submit it under § 50.4 to the NRC. These licensees shall submit this ETE analysis to the NRC at least 180 days before using it to form protective action recommendations and providing it to State and local governmental authorities for use in developing offsite protective action strategies.	
		5. During the years between decennial censuses, nuclear power reactor licensees shall estimate EPZ permanent resident population changes once a year, but no later than 365 days from the date of the previous estimate, using the most recent U.S. Census Bureau annual resident population estimate and State/local government population data, if available. These licensees shall maintain these estimates so that they are available for NRC inspection during the period between decennial censuses and shall submit these estimates to the NRC with any updated ETE analysis.	Exemption Request needed for evacuation time estimates. See Enclosure 1, Item B.4
		6. If at any time during the decennial period, the EPZ permanent resident population	Exemption Request needed for evacuation time estimates. See

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		<p><i>increases such that it causes the longest ETE value for the 2-mile zone or 5-mile zone, including all affected Emergency Response Planning Areas, or for the entire 10-mile EPZ to increase by 25 percent or 30 minutes, whichever is less, from the nuclear power reactor licensee's currently NRC approved or updated ETE, the licensee shall update the ETE analysis to reflect the impact of that population increase. The licensee shall submit the updated ETE analysis to the NRC under § 50.4 no later than 365 days after the licensee's determination that the criteria for updating the ETE have been met and at least 180 days before using it to form protective action recommendations and providing it to State and local governmental authorities for use in developing offsite protective action strategies.</i></p>	Enclosure 1, Item B.4
		<p><i>7. After an applicant for a combined license under part 52 of this chapter receives its license, the licensee shall conduct at least one review of any changes in the population of its EPZ at least 365</i></p>	

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		<p><i>days prior to its scheduled fuel load. The licensee shall estimate EPZ permanent resident population changes using the most recent U.S. Census Bureau annual resident population estimate and State/local government population data, if available. If the EPZ permanent resident population increases such that it causes the longest ETE value for the 2-mile zone or 5-mile zone, including all affected Emergency Response Planning Areas, or for the entire 10-mile EPZ, to increase by 25 percent or 30 minutes, whichever is less, from the licensee's currently approved ETE, the licensee shall update the ETE analysis to reflect the impact of that population increase. The licensee shall submit the updated ETE analysis to the NRC for review under § 50.4 of this chapter no later than 365 days before the licensee's scheduled fuel load.</i></p>	
<p><i>A. Organization</i></p> <p>The organization for coping with radiological emergencies shall be described, including definition of authorities, responsibilities, and</p>	<p>None</p>	<p><i>A. Organization</i></p> <p>The organization for coping with radiological emergencies shall be described, including definition of authorities, responsibilities, and</p>	<p>ZionSolutions complies with this requirement.</p> <p>DSEP Section 4 describes the normal plant organization. DSEP Section 6.1 describes the</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
duties of individuals assigned to the licensee's emergency organization and the means for notification of such individuals in the event of an emergency. Specifically, the following shall be included:		duties of individuals assigned to the licensee's emergency organization and the means for notification of such individuals in the event of an emergency. Specifically, the following shall be included:	notification and activation steps for the emergency organization.
1. A description of the normal plant operating organization.	1. A description of the normal plant operating organization.	1. A description of the normal plant operating organization.	Based on the 1999 exemption, ZionSolutions complies with this requirement as exempted. DSEP Section 4 describes the normal plant organization. DSEP Section 6.1 describes the notification and activation steps for the emergency organization.
2. A description of the onsite emergency response organization with a detailed discussion of: a. Authorities, responsibilities, and duties of the individual(s) who will take charge during an emergency; b. Plant staff emergency assignments; c. Authorities, responsibilities, and duties on an onsite emergency coordinator who shall be in charge of the exchange of information with	None	2. A description of the onsite emergency response organization (ERO) with a detailed discussion of: a. Authorities, responsibilities, and duties of the individual(s) who will take charge during an emergency; b. Plant staff emergency assignments; c. Authorities, responsibilities, and duties of an onsite emergency coordinator who shall be in charge of the exchange of information with offsite authorities responsible for coordinating and implementing	ZionSolutions complies with this requirement as clarified in the 1999 exemption. The 1999 exemption clarified that offsite emergency measures is limited to providing support from local police and fire departments, ambulance services and hospitals, as appropriate. DSEP Section 4 implements this requirement.

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
offsite authorities responsible for coordinating and implementing offsite emergency measures.		offsite emergency measures.	
3. A description, by position and function to be performed, of the licensee's headquarters personnel who will be sent to the plant site to augment the onsite emergency organization.	3. A description, by position and function to be performed, of the licensee's headquarters personnel who will be sent to the plant site to augment the onsite emergency organization.	3. A description, by position and function to be performed, of the licensee's headquarters personnel who will be sent to the plant site to augment the onsite emergency organization	<p>ZionSolutions is exempted from this requirement in its entirety.</p> <p>Based on the 1999 exemption, no offsite or headquarters personnel are required to augment the onsite emergency organization.</p> <p>DSEP Sections 4 and 6.1 describe the notifications and actions taken by onsite personnel.</p>
4. Identification, by position and function to be performed, of persons within the licensee organization who will be responsible for making offsite dose projections, and a description of how these projections will be made and the results transmitted to State and local authorities, NRC, and other appropriate governmental entities.	4. Identification, by position and function to be performed, of persons within the licensee organization who will be responsible for making offsite dose projections, and a description of how these projections will be made and the results transmitted to State and local authorities, NRC, and other appropriate governmental entities.	4. Identification, by position and function to be performed, of persons within the licensee organization who will be responsible for making offsite dose projections, and a description of how these projections will be made and the results transmitted to State and local authorities, NRC, and other appropriate governmental entities.	<p>ZionSolutions is exempted from this requirement in its entirety.</p> <p>Based on the 1999 exemption, no offsite response measures are required and no methods, systems, and equipment will be maintained for the determination of actual offsite dose consequences.</p> <p>DSEP Section 6.2 describes actions taken to assess and monitor potential radiological emergency conditions.</p>
5. Identification, by position and function to be performed, of other	5. Identification, by position and function to be performed, of other	5. Identification, by position and function to be performed, of other	<p>ZionSolutions is exempted from this requirement in its entirety.</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
employees of the licensee with special qualifications for coping with emergency conditions that may arise. Other persons with special qualifications, such as consultants, who are not employees of the licensee and who may be called upon for assistance for emergencies shall also be identified. The special qualifications of these persons shall be described.	employees of the licensee with special qualifications for coping with emergency conditions that may arise. Other persons with special qualifications, such as consultants, who are not employees of the licensee and who may be called upon for assistance for emergencies shall also be identified. The special qualifications of these persons shall be described.	employees of the licensee with special qualifications for coping with emergency conditions that may arise. Other persons with special qualifications, such as consultants, who are not employees of the licensee and who may be called upon for assistance for emergencies shall also be identified. The special qualifications of these persons shall be described.	Based on the 1999 exemption, the need for response by offsite employees or specialist contractors is no longer needed. DSEP Sections 4.4 and 4.6 describe the use of support resources, how support is requested and ensuring that they are used effectively, as needed, except as noted by the 1999 exemption.
6. A description of the local offsite services to be provided in support of the licensee's emergency organization.	None	6. A description of the local offsite services to be provided in support of the licensee's emergency organization.	ZionSolutions complies with this requirement as clarified in the 1999 exemption. The 1999 exemption clarified that offsite emergency measures are limited to providing support from local police and fire departments, ambulance services and hospitals, as appropriate. DSEP Section 4.6 implements this requirement.
7. Identification of, and assistance expected from, appropriate State, local, and Federal agencies with responsibilities for coping with emergencies.	None	7. By June 23, 2014, identification of, and a description of the assistance expected from, appropriate State, local, and Federal agencies with responsibilities for	ZionSolutions complies with this requirement as clarified in the 1999 exemption. The 1999 exemption clarified that offsite emergency measures are

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		<p>coping with emergencies, <i>including hostile action at the site. For purposes of this appendix, "hostile action" is defined as an act directed toward a nuclear power plant or its personnel that includes the use of violent force to destroy equipment, take hostages, and/or intimidate the licensee to achieve an end. This includes attack by air, land, or water using guns, explosives, projectiles, vehicles, or other devices used to deliver destructive force.</i></p>	<p>limited to providing support from local police and fire departments, ambulance services and hospitals, as appropriate.</p> <p>DSEP Section 4.6 implements this requirement.</p> <p>Exemption Request needed for hostile action. See Enclosure 1, Item A.4.</p>
<p>8. Identification of the State and/or local officials responsible for planning for, ordering, and controlling appropriate protective actions, including evacuations when necessary.</p>	<p>8. Identification of the State and/or local officials responsible for planning for, ordering, and controlling appropriate protective actions, including evacuations when necessary.</p>	<p>8. Identification of the State and/or local officials responsible for planning for, ordering, and controlling appropriate protective actions, including evacuations when necessary.</p>	<p>ZionSolutions is exempted from this requirement in its entirety.</p> <p>The 1999 exemption clarified that offsite emergency measures are limited to providing support from local police and fire departments, ambulance services and hospitals, as appropriate. No offsite protective actions and evacuations are required.</p> <p>DSEP Section 4.6 implements this requirement.</p>
		<p><i>9. By December 24, 2012, for nuclear power reactor licensees, a detailed analysis demonstrating</i></p>	<p>Exemption Request needed for this requirement. See Enclosure 1,</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		that on-shift personnel assigned emergency plan implementation functions are not assigned responsibilities that would prevent the timely performance of their assigned functions as specified in the emergency plan.	Item A.1.
<p><i>B. Assessment Actions</i> The means to be used for determining the magnitude of, and for continually assessing the impact of, the release of radioactive materials shall be described, including emergency action levels that are to be used as criteria for determining the need for notification and participation of local and State agencies, the Commission, and other Federal agencies, and the emergency action levels that are to be used for determining when and what type of protective measures should be considered within and outside the site boundary to protect health and safety. The emergency action levels shall be based on in- plant conditions and instrumentation in addition to onsite and offsite monitoring. These initial emergency action levels shall be discussed and agreed on by the applicant or licensee and state and</p>	<p><i>B. Assessment Actions</i> The means to be used for determining the magnitude of and for continually assessing the impact of the release of radioactive materials shall be described, including emergency action levels that are to be used as criteria for determining the need for notification and participation of local and State agencies, the Commission, and other Federal agencies, and the emergency action levels that are to be used for determining when and what type of protective measures should be considered within and outside the site boundary to protect health and safety. The emergency action levels shall be based on in-plant conditions and instrumentation in addition to onsite and offsite monitoring. These emergency action levels shall be discussed and agreed on by the applicant and</p>	<p><i>B. Assessment Actions</i> 1. The means to be used for determining the magnitude of, and for continually assessing the impact of, the release of radioactive materials shall be described, including emergency action levels that are to be used as criteria for determining the need for notification and participation of local and State agencies, the Commission, and other Federal agencies, and the emergency action levels that are to be used for determining when and what type of protective measures should be considered within and outside the site boundary to protect health and safety. The emergency action levels shall be based on in-plant conditions and instrumentation in addition to onsite and offsite monitoring. By June 20, 2012, for nuclear power reactor licensees, these action levels must include hostile action that</p>	<p>ZionSolutions complies with this requirement as exempted.</p> <p>Based on the 1999 exemption, no offsite response measures are required. Facility systems and effluents parameters that are related to potential radiological releases are included in the basis for EALs.</p> <p>The Emergency Plan includes an emergency classification and action level scheme that is based on NEI 99-01, Revision 4 and Regulatory Guide 1.101 guidance for a permanently shutdown plant. This includes natural phenomena events and accident conditions that could potentially affect the confinement boundary of a spent fuel pool.</p> <p>The EALs are reviewed with the State and Local governments on</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
local governmental authorities, and approved by the NRC. Thereafter, emergency action levels shall be reviewed with the State and local governmental authorities on an annual basis.	State and local governmental authorities and approved by NRC. They shall also be reviewed with the State and local governmental authorities on an annual basis.	may adversely affect the nuclear power plant. The initial emergency action levels shall be discussed and agreed on by the applicant or licensee and state and local governmental authorities, and approved by the NRC. Thereafter, emergency action levels shall be reviewed with the State and local governmental authorities on an annual basis.	an annual basis. DSEP Section 5 shows the classification and action level scheme. DSEP Section 8.2.2.2 discusses the requirement to review the EALs with the State and Local governments on an annual basis. Exemption Request needed for hostile action. See Enclosure 1, Item A.2
A revision to an emergency action level must be approved by the NRC before implementation if: (1) The licensee is changing from one emergency action level scheme to another emergency action level scheme (e.g., a change from an emergency action level scheme based on NUREG-0654 to a scheme based upon NUMARC/NESP-007 or NEI-99-01); (2) The licensee is proposing an alternate method for complying with the regulations; or (3) The emergency action level revision decreases the effectiveness of the emergency plan.	None	2. A licensee desiring to change its entire emergency action level scheme shall submit an application for an amendment to its license and receive NRC approval before implementing the change. Licensees shall follow the change process in § 50.54(q) for all other emergency action level changes.	ZionSolutions complies with this requirement. The NRC approved the change to EALs based on NEI 99-01 on August 31, 1999. The Emergency Plan includes an emergency classification and action level scheme that is based on NEI 99-01, Revision 4 and Regulatory Guide 1.101 guidance for a permanently shutdown plant. This includes natural phenomena events and accident conditions that could potentially affect the confinement boundary of a spent fuel pool.

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p>A licensee shall submit each request for NRC approval of the proposed emergency action level change as specified in § 50.4. If a licensee makes a change to an EAL that does not require NRC approval, the licensee shall submit, as specified in § 50.4, a report of each change made within 30 days after the change is made.</p>			<p>DSEP Section 5 shows the classification and action level scheme.</p> <p>DSEP Section 8.4 and Procedure EPIP-12 provide the guidance for making changes to the Emergency Plan and submitting those changes to the NRC, based on the type of change being proposed.</p>
<p><i>C. Activation of Emergency Organization</i></p> <p>The entire spectrum of emergency conditions that involve the alerting or activating of progressively larger segments of the total emergency organization shall be described. The communication steps to be taken to alert or activate emergency personnel under each class of emergency shall be described. Emergency action levels (based not only on onsite and offsite radiation monitoring information but also on readings from a number of sensors that indicate a potential emergency, such as the pressure in containment and the response of the Emergency Core Cooling System) for notification of offsite agencies shall be described.</p>	<p><i>C. Activation of Emergency Organization</i></p> <p>The entire spectrum of emergency conditions that involve the alerting or activating of progressively larger segments of the total emergency organization shall be described. The communication steps to be taken to alert or activate emergency personnel under each class of emergency shall be described. Emergency action levels (based not only on onsite and offsite radiation monitoring information but also on readings from a number of sensors that indicate a potential emergency, such as the pressure in containment and the response of the Emergency Core Cooling System) for notification of offsite agencies shall be described. The existence, but not</p>	<p><i>C. Activation of Emergency Organization</i></p> <p>1. The entire spectrum of emergency conditions that involve the alerting or activating of progressively larger segments of the total emergency organization shall be described. The communication steps to be taken to alert or activate emergency personnel under each class of emergency shall be described. Emergency action levels (based not only on onsite and offsite radiation monitoring information but also on readings from a number of sensors that indicate a potential emergency, such as the pressure in containment and the response of the Emergency Core Cooling System) for notification of offsite agencies shall</p>	<p>ZionSolutions complies with this requirement as exempted.</p> <p>Based on the 1999 exemption, no offsite response measures are required and no offsite notification of the general public is required.</p> <p>There are no State and local responses required and no need for notification of emergency personnel by State and local organizations. There is no need for a means to provide early notification and clear instructions to the public within the plume exposure pathway EPZ.</p> <p>DSEP Section 6.1 provides guidance for onsite and offsite</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
The existence, but not the details, of a message authentication scheme shall be noted for such agencies. The emergency classes defined shall include: (1) notification of unusual events, (2) alert, (3) site area emergency, and (4) general emergency. These classes are further discussed in NUREG-0654; FEMA-REP- 1.	the details, of a message authentication scheme shall be noted for such agencies. The emergency classes defined shall include: (1) notification of unusual events, (2) alert, (3) site area emergency, and (4) general emergency. These classes are further discussed in NUREG - 0654; FEMA - REP- 1.	be described. The existence, but not the details, of a message authentication scheme shall be noted for such agencies. The emergency classes defined shall include: (1) Notification of unusual events, (2) alert, (3) site area emergency, and (4) general emergency. These classes are further discussed in NUREG-0654/FEMA-REP-1.	notification including the content of messages.
		<i>2. By June 20, 2012, nuclear power reactor licensees shall establish and maintain the capability to assess, classify, and declare an emergency condition within 15 minutes after the availability of indications to plant operators that an emergency action level has been exceeded and shall promptly declare the emergency condition as soon as possible following identification of the appropriate emergency classification level. Licensees shall not construe these criteria as a grace period to attempt to restore plant conditions to avoid declaring an emergency action due to an emergency action level that has been exceeded. Licensees shall not construe these criteria as preventing implementation of</i>	Exemption Request needed for emergency declaration timeliness. See Enclosure 1, Item B.2.

Historical Rule Language (Prior to December 23, 2011)	Curent Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		response actions deemed by the licensee to be necessary to protect public health and safety provided that any delay in declaration does not deny the State and local authorities the opportunity to implement measures necessary to protect the public health and safety.	
<p><i>D. Notification Procedures</i></p> <p>1. Administrative and physical means for notifying local, State, and Federal officials and agencies and agreements reached with these officials and agencies for the prompt notification of the public and for public evacuation or other protective measures, should they become necessary, shall be described. This description shall include identification of the appropriate officials, by title and agency, of the State and local government agencies within the EPZs.¹</p>	<p>D. Notification Procedures</p> <p>1. Administrative and physical means for notifying local, State, and Federal officials and agencies and agreements reached with these officials and agencies for the prompt notification of the public and for public evacuation or other protective measures, should they become necessary, shall be described. This description shall include identification of the appropriate officials, by title and agency, of the State and local government agencies within the EPZs.⁽¹⁾</p>	<p><i>D. Notification Procedures</i></p> <p>1. Administrative and physical means for notifying local, State, and Federal officials and agencies and agreements reached with these officials and agencies for the prompt notification of the public and for public evacuation or other protective measures, should they become necessary, shall be described. This description shall include identification of the appropriate officials, by title and agency, of the State and local government agencies within the EPZs.</p>	<p>ZionSolutions complies with this requirement as exempted.</p> <p>Based on the 1999 exemption, no offsite response measures and no offsite notification of the general public is required.</p> <p>There are no State and local responses required and no need for notification of emergency personnel by State and local organizations. There is no need for a means to provide early notification and clear instructions to the public within the plume exposure pathway EPZ.</p> <p>DSEP Section 6.1 provides guidance for onsite and offsite notification including the content of messages.</p>
<p>2. Provisions shall be described for yearly dissemination to the public</p>	<p>2. Provisions shall be described for yearly dissemination to the public</p>	<p>2. Provisions shall be described for yearly dissemination to the public</p>	<p>ZionSolutions is exempted from</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p>within the plume exposure pathway EPZ of basic emergency planning information, such as the methods and times required for public notification and the protective actions planned if an accident occurs, general information as to the nature and effects of radiation, and a listing of local broadcast stations that will be used for dissemination of information during an emergency. Signs or other measures shall also be used to disseminate to any transient population within the plume exposure pathway EPZ appropriate information that would be helpful if an accident occurs.</p>	<p>within the plume exposure pathway EPZ of basic emergency planning information, such as the methods and times required for public notification and the protective actions planned if an accident occurs, general information as to the nature and effects of radiation, and a listing of local broadcast stations that will be used for dissemination of information during an emergency. Signs or other measures shall also be used to disseminate to any transient population within the plume exposure pathway EPZ appropriate information that would be helpful if an accident occurs.</p>	<p>within the plume exposure pathway EPZ of basic emergency planning information, such as the methods and times required for public notification and the protective actions planned if an accident occurs, general information as to the nature and effects of radiation, and a listing of local broadcast stations that will be used for dissemination of information during an emergency. Signs or other measures shall also be used to disseminate to any transient population within the plume exposure pathway EPZ appropriate information that would be helpful if an accident occurs.</p>	<p>this requirement in its entirety.</p> <p>Based on the 1999 exemption, no offsite response measures and no offsite notification of the general public is required.</p> <p>There are no State and local responses required and no need for notification of emergency personnel by State and local organizations. There is no need for a means to provide early notification and clear instructions to the public within the plume exposure pathway EPZ.</p> <p>DSEP Section 6.1 provides guidance for onsite and offsite notification including the content of messages.</p>
<p>3. A licensee shall have the capability to notify responsible State and local governmental agencies within 15 minutes after declaring an emergency. The licensee shall demonstrate that the State/local officials have the capability to make a public notification decision promptly on being informed by the licensee of an emergency condition.</p>	<p>3. A licensee shall have the capability to notify responsible State and local governmental agencies within 60 15 minutes after declaring an emergency. The licensee shall demonstrate that the State/local officials have the capability to make a public notification decision promptly on being informed by the licensee of an emergency condition. By</p>	<p>3. A licensee shall have the capability to notify responsible State and local governmental agencies within 60 15 minutes after declaring an emergency. The licensee shall demonstrate that the appropriate governmental authorities have the capability to make a public alerting and notification decision promptly on being informed by the licensee of</p>	<p>ZionSolutions complies with this requirement as exempted.</p> <p>Based on the 1999 exemption, no offsite response measures and no offsite notification of the general public is required.</p> <p>There are no State and local responses required and no need for notification of emergency</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p>By February 1, 1982, each nuclear power reactor licensee shall demonstrate that administrative and physical means have been established for alerting and providing prompt instructions to the public within the plume exposure pathway EPZ. The four-month period in 10 CFR 50.54(s)(2) for the correction of emergency plan deficiencies shall not apply to the initial installation of this public notification system that is required by February 1, 1982. The four-month period will apply to correction of deficiencies identified during the initial installation and testing of the prompt public notification systems as well as those deficiencies discovered thereafter. The design objective of the prompt public notification system shall be to have the capability to essentially complete the initial notification of the public within the plume exposure pathway EPZ within about 15 minutes. The use of this notification capability will range from immediate notification of the public (within 15 minutes of the time that State and local officials are notified that a situation exists requiring urgent</p>	<p>February 1, 1982, each nuclear power reactor licensee shall demonstrate that administrative and physical means have been established for alerting and providing prompt instructions to the public within the plume exposure pathway EPZ. The four-month period in 10 CFR 50.54(s)(2) for the correction of emergency plan deficiencies shall not apply to the initial installation of this public notification system that is required by February 1, 1982. The four-month period will apply to correction of deficiencies identified during the initial installation and testing of the prompt public notification systems as well as those deficiencies discovered thereafter. The design objective of the prompt public notification system shall be to have the capability to essentially complete the initial notification of the public within the plume exposure pathway EPZ within about 15 minutes. The use of this notification capability will range from immediate notification of the public (within 15 minutes of the time that State and local officials</p>	<p>an emergency condition. Prior to initial operation greater than 5 percent of rated thermal power of the first reactor at a site, each nuclear power reactor licensee shall demonstrate that administrative and physical means have been established for alerting and providing prompt instructions to the public within the plume exposure pathway EPZ. The design objective of the prompt public alert and notification system shall be to have the capability to essentially complete the initial alerting and initiate notification of the public within the plume exposure pathway EPZ within about 15 minutes. The use of this alerting and notification capability will range from immediate alerting and notification of the public (within 15 minutes of the time that State and local officials are notified that a situation exists requiring urgent action) to the more likely events where there is substantial time available for the appropriate governmental authorities to make a judgment whether or not to activate the public alert and notification system. The</p>	<p>personnel by State and local organizations. There is no need for a means to provide early notification and clear instructions to the public within the plume exposure pathway EPZ.</p> <p>DSEP Section 6.1 provides guidance for onsite and offsite notification including the content of messages.</p> <p>Exemption Request needed for backup means to alert and</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p>action) to the more likely events where there is substantial time available for the State and local governmental officials to make a judgment whether or not to activate the public notification system. Where there is a decision to activate the notification system, the State and local officials will determine whether to activate the entire notification system simultaneously or in a graduated or staged manner. The responsibility for activating such a public notification system shall remain with the appropriate governmental authorities.</p>	<p>are notified that a situation exists requiring urgent action) to the more likely events where there is substantial time available for the State and local governmental officials to make a judgment whether or not to activate the public notification system. Where there is a decision to activate the notification system, the State and local officials will determine whether to activate the entire notification system simultaneously or in a graduated or staged manner. The responsibility for activating such a public notification system shall remain with the appropriate governmental authorities.</p>	<p>alerting and notification capability shall additionally include administrative and physical means for a backup method of public alerting and notification capable of being used in the event the primary method of alerting and notification is unavailable during an emergency to alert or notify all or portions of the plume exposure pathway EPZ population. The backup method shall have the capability to alert and notify the public within the plume exposure pathway EPZ, but does not need to meet the 15-minute design objective for the primary prompt public alert and notification system. When there is a decision to activate the alert and notification system, the appropriate governmental authorities will determine whether to activate the entire alert and notification system simultaneously or in a graduated or staged manner. The responsibility for activating such a public alert and notification system shall remain with the appropriate governmental authorities.</p>	<p>notification system. See Enclosure 1, Item B.1</p>
		<p>4. If FEMA has approved a nuclear power reactor site's alert and</p>	<p>Exemption Request needed for backup means to alert and</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		notification design report, including the backup alert and notification capability, as of December 23, 2011, then the backup alert and notification capability requirements in Section IV.D.3 must be implemented by December 24, 2012. If the alert and notification design report does not include a backup alert and notification capability or needs revision to ensure adequate backup alert and notification capability, then a revision of the alert and notification design report must be submitted to FEMA for review by June 24, 2013, and the FEMA-approved backup alert and notification means must be implemented within 365 days after FEMA approval. However, the total time period to implement a FEMA-approved backup alert and notification means must not exceed June 22, 2015.	notification system. See Enclosure 1, Item B.1
<p><i>E. Emergency Facilities and Equipment</i></p> <p>Adequate provisions shall be made and described for emergency facilities and equipment, including:</p>	<p>E. Emergency Facilities and Equipment</p> <p>Adequate provisions shall be made and described for emergency facilities and equipment, including:</p>	<p><i>E. Emergency Facilities and Equipment</i></p> <p>Adequate provisions shall be made and described for emergency facilities and equipment, including:</p>	<p>ZionSolutions complies with this requirement.</p> <p>DSEP Section 7 provides the guidance for Equipment and Facilities.</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
1. Equipment at the site for personnel monitoring;	None	1. Equipment at the site for personnel monitoring;	<p>ZionSolutions complies with this requirement.</p> <p>Personnel monitoring equipment is provided onsite.</p> <p>DSEP Sections 6.4.3 and 6.4.4 describes the use of direct reading dosimeters and TLDs. DSEP Sections 6.4.2 through 6.4.6 describes the use of ALARA.</p>
2. Equipment for determining the magnitude of and for continuously assessing the impact of the release of radioactive materials to the environment;	None	2. Equipment for determining the magnitude of and for continuously assessing the impact of the release of radioactive materials to the environment;	<p>ZionSolutions complies with this requirement.</p> <p>DSAR Section 5.2, Fuel Handling Accident, and Section 5.3 Radioactive Waste Handling Accident show that the release of radioactive material will not exceed Part 100 limits. As a result, radiological assessment and protective actions are limited to determining the dose rates in the area, establishing controls to prevent personnel from entering the area, and assuring recovery and repairs minimize exposure. DSEP Sections 7.3.1 and 7.3.2 and implementing procedures are used to implement this requirement. Based on</p>

Historical Rule Language (Prior to December 23, 2011)	Curent Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
			radiological conditions, a radiation work permit may be required.
3. Facilities and supplies at the site for decontamination of onsite individuals;	None	3. Facilities and supplies at the site for decontamination of onsite individuals;	<p>ZionSolutions complies with this requirement.</p> <p>The ZNPS does not have designated decontamination facilities on site.</p> <p>Gross decontamination is limited to removal of clothing. Removal of contamination on the skin is performed with soap and water. DSEP Section 6.4.4 states that radiation protection technicians will perform the decontamination, if necessary and arrangements for appropriate temporary accommodations have been prepared.</p>
4. Facilities and medical supplies at the site for appropriate emergency first aid treatment;	None	4. Facilities and medical supplies at the site for appropriate emergency first aid treatment;	<p>ZionSolutions complies with this requirement.</p> <p>The ZNPS has medical supplies and a first aid office on site to administer first aid. Additional medical treatment would be provided by offsite ambulance or hospital facilities.</p> <p>DSEP Section 4.5 states that Radiation Protection Technicians</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
			and the Emergency Director are trained in first aid. There is also a nurse on site during normal business hours.
5. Arrangements for the services of physicians and other medical personnel qualified to handle radiation emergencies on-site;	None	5. Arrangements for medical service providers qualified to handle radiological emergencies onsite;	<p>ZionSolutions complies with this requirement.</p> <p>The Emergency Plan contains Assistance Agreements from local resources for hospital and ambulance services.</p> <p>DSEP Section 4.6 discusses this requirement.</p>
6. Arrangements for transportation of contaminated injured individuals from the site to specifically identified treatment facilities outside the site boundary;	None	6. Arrangements for transportation of contaminated injured individuals from the site to specifically identified treatment facilities outside the site boundary;	<p>ZionSolutions complies with this requirement.</p> <p>The Emergency Plan contains Assistance Agreements from local resources for hospital and ambulance services.</p> <p>DSEP Section 6.4.7 discusses this requirement.</p>
7. Arrangements for treatment of individuals injured in support of licensed activities on the site at treatment facilities outside the site boundary;	None	7. Arrangements for treatment of individuals injured in support of licensed activities on the site at treatment facilities outside the site boundary;	<p>ZionSolutions complies with this requirement.</p> <p>The Emergency Plan contains Assistance Agreements from local resources for hospital and ambulance services.</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p>8. A licensee onsite technical support center and a licensee near-site emergency operations facility from which effective direction can be given and effective control can be exercised during an emergency;</p>	<p>8. A licensee onsite technical support center and a licensee near-site emergency operations facility from which effective direction can be given and effective control can be exercised during an emergency;</p>	<p>8.a. (i) A licensee onsite technical support center and an emergency operations facility from which effective direction can be given and effective control can be exercised during an emergency;</p> <p><i>(ii) For nuclear power reactor licensees, a licensee onsite operational support center</i></p>	<p>DSEP Section 6.4.7 discusses this requirement.</p> <p>ZionSolutions complies with this requirement as exempted.</p> <p>Based on the 1999 exemption, the need for response by State and Local organizations has been eliminated and the Emergency Operations Facility and Technical Support Center shall no longer be retained.</p> <p>DSEP Section 7.1 describes the use of the control room as the Emergency Response Facility. DSEP Section 4.0 provides the steps taken to provide effective direction and control for the Emergency Response Organization during an emergency.</p> <p>Exemption Request needed for an Emergency Operations Facility. See Enclosure 1, Item B.3.</p>
		<p><i>b. For a nuclear power reactor licensee's emergency operations facility required by paragraph 8.a of this section, either a facility located between 10 miles and 25</i></p>	<p>Exemption Request needed for an Emergency Operations Facility. See Enclosure 1, Item B.3.</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		<p><i>miles of the nuclear power reactor site(s), or a primary facility located less than 10 miles from the nuclear power reactor site(s) and a backup facility located between 10 miles and 25 miles of the nuclear power reactor site(s). An emergency operations facility may serve more than one nuclear power reactor site. A licensee desiring to locate an emergency operations facility more than 25 miles from a nuclear power reactor site shall request prior Commission approval by submitting an application for an amendment to its license. For an emergency operations facility located more than 25 miles from a nuclear power reactor site, provisions must be made for locating NRC and offsite responders closer to the nuclear power reactor site so that NRC and offsite responders can interact face-to-face with emergency response personnel entering and leaving the nuclear power reactor site. Provisions for locating NRC and offsite responders closer to a nuclear power reactor site that is more than 25 miles from the emergency operations facility must</i></p>	

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		<p><i>include the following: (1) Space for members of an NRC site team and Federal, State, and local responders;</i></p> <p><i>(2) Additional space for conducting briefings with emergency response personnel;</i></p> <p><i>(3) Communication with other licensee and offsite emergency response facilities;</i></p> <p><i>(4) Access to plant data and radiological information; and</i></p> <p><i>(5) Access to copying equipment and office supplies;</i></p>	
		<p><i>e. By June 20, 2012, for a nuclear power reactor licensee's emergency operations facility required by paragraph 8.a of this section, a facility having the following capabilities:</i></p> <p><i>(1) The capability for obtaining and displaying plant data and radiological information for each reactor at a nuclear power reactor site and for each nuclear power reactor site that the facility serves;</i></p> <p><i>(2) The capability to analyze plant technical information and provide technical briefings on event conditions and prognosis to licensee and offsite response</i></p>	<p>Exemption Request needed for an Emergency Operations Facility. See Enclosure 1, Item B.3.</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		<i>organizations for each reactor at a nuclear power reactor site and for each nuclear power reactor site that the facility serves; and (3) The capability to support response to events occurring simultaneously at more than one nuclear power reactor site if the emergency operations facility serves more than one site; and</i>	
		<i>d. For nuclear power reactor licensees, an alternative facility (or facilities) that would be accessible even if the site is under threat of or experiencing hostile action, to function as a staging area for augmentation of emergency response staff and collectively having the following characteristics: the capability for communication with the emergency operations facility, control room, and plant security; the capability to perform offsite notifications; and the capability for engineering assessment activities, including damage control team planning and preparation, for use when onsite emergency facilities cannot be safely accessed during hostile action. The requirements in this</i>	Exemption Request needed for an Emergency Response Organization augmentation and alternate facilities. See Enclosure 1, Item A.3.

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		<i>paragraph 8.d must be implemented no later than December 23, 2014, with the exception of the capability for staging emergency response organization personnel at the alternative facility (or facilities) and the capability for communications with the emergency operations facility, control room, and plant security, which must be implemented no later than June 20, 2012.</i>	
		<i>e. A licensee shall not be subject to the requirements of paragraph 8.b of this section for an existing emergency operations facility approved as of December 23, 2011</i>	Exemption Request needed for an Emergency Response Organization augmentation and alternate facilities. See Enclosure 1, Item A.3.
<p>9. At least one onsite and one offsite communications system; each system shall have a backup power source.</p> <p>All communication plans shall have arrangements for emergencies, including titles and alternates for those in charge at both ends of the communication links and the primary and backup means of communication. Where consistent with the function of the governmental agency, these</p>	None	<p>9. At least one onsite and one offsite communications system; each system shall have a backup power source. All communication plans shall have arrangements for emergencies, including titles and alternates for those in charge at both ends of the communication links and the primary and backup means of communication. Where consistent with the function of the governmental agency, these arrangements will include:</p>	<p>ZionSolutions complies with this requirement.</p> <p>DSEP Sections 7.2.1 describes the onsite and offsite communication systems. Backup power is provided by the UPS should offsite power be unavailable.</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p>arrangements will include:</p> <p>a. Provision for communications with contiguous State/local governments within the plume exposure pathway EPZ. Such communications shall be tested monthly.</p>	<p>a. Provision for communications with contiguous State/local governments within the plume exposure pathway EPZ. Such communications shall be tested monthly.</p>	<p>a. Provision for communications with contiguous State/local governments within the plume exposure pathway EPZ. Such communications shall be tested monthly.</p>	<p>ZionSolutions complies with this requirement as exempted.</p> <p>Based on the 1999 exemption and NRC approval of the Defueled Site Emergency Plan, there is no longer a need for an EOF or field assessment teams.</p> <p>Communications with the NRC and State agencies are made from the Control Room. The communications systems are discussed in DSEP Section 7.2.1. DSEP Section 6.1 describes the process for notifying the NRC and State agencies.</p> <p>Communications with the NRC and State are verified at least monthly per DSEP Section 8.3.2.1.</p>
<p>b. Provision for communications with Federal emergency response organizations. Such communications systems shall be tested annually.</p>	<p>None</p>	<p>b. Provision for communications with Federal emergency response organizations. Such communications systems shall be tested annually.</p>	<p>ZionSolutions complies with this requirement.</p> <p>Communications with the NRC and State agencies are made from the Control Room. The communications systems are discussed in DSEP Section 7.2.1.</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
			<p>DSEP Section 6.1 describes the process for notifying the NRC and State agencies.</p> <p>Communications with the NRC and State are fully tested at least annually per DSEP Section 8.3.2.1.</p>
<p>c. Provision for communications among the nuclear power reactor control room, the onsite technical support center, and the near-site emergency operations facility; and among the nuclear facility, the principal State and local emergency operations centers, and the field assessment teams. Such communications systems shall be tested annually.</p>	<p>c. Provision for communications among the nuclear power reactor control room, the onsite technical support center, and the near-site emergency operations facility; and among the nuclear facility, the principal State and local emergency operations centers, and the field assessment teams. Such communications systems shall be tested annually.</p>	<p>c. Provision for communications among the nuclear power reactor control room, the onsite technical support center, and the emergency operations facility; and among the nuclear facility, the principal State and local emergency operations centers, and the field assessment teams. Such communications systems shall be tested annually.</p>	<p>ZionSolutions complies with this requirement as exempted.</p> <p>Based on the 1999 exemption and NRC approval of the Defueled Site Emergency Plan, there is no longer a need for an EOF or field assessment teams.</p> <p>The Control Room functions as the technical support center for purposes of the Zion plan and procedures. Communications with the NRC and State agencies are made from the Control Room. The communications systems are discussed in DSEP Section 7.2.1. DSEP Section 6.1 describes the process for notifying the NRC and State agencies.</p> <p>Communications with the NRC and State are fully tested at least</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p>d. Provisions for communications by the licensee with NRC Headquarters and the appropriate NRC Regional Office Operations Center from the nuclear power reactor control room, the onsite technical support center, and the near-site emergency operations facility. Such communications shall be tested monthly.</p>	<p>d. Provisions for communications by the licensee with NRC Headquarters and the appropriate NRC Regional Office Operations Center from the nuclear power reactor control room, the onsite technical support center, and the near-site emergency operations facility. Such communications shall be tested monthly.</p>	<p>d. Provisions for communications by the licensee with NRC Headquarters and the appropriate NRC Regional Office Operations Center from the nuclear power reactor control room, the onsite technical support center, and the emergency operations facility. Such communications shall be tested monthly.</p>	<p>annually per DSEP Section 8.3.2.1.</p> <p>ZionSolutions complies with this requirement as exempted.</p> <p>Based on the 1999 exemption and NRC approval of the Defueled Site Emergency Plan, there is no longer a need for an EOF or field assessment teams.</p> <p>Communications with the NRC and State agencies are made from the Control Room. The communications systems are discussed in DSEP Section 7.2.1. DSEP Section 6.1 describes the process for notifying the NRC and State agencies.</p> <p>Communications with the NRC and State are tested at least monthly per DSEP Section 8.3.2.1.</p>
<p><i>F. Training.</i></p> <p>1. The program to provide for: (a) The training of employees and exercising, by periodic drills, of radiation emergency plans to ensure that employees of the licensee are</p>	<p>None</p>	<p><i>F. Training</i></p> <p>1. The program to provide for: (a) The training of employees and exercising, by periodic drills, of emergency plans to ensure that employees of the licensee are familiar with their specific</p>	<p>ZionSolutions complies with this requirement.</p> <p>DSEP Sections 8.2 and 8.3 describe the actions taken for this requirement. Overall administrative controls for</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p>familiar with their specific emergency response duties, and (b) The participation in the training and drills by other persons whose assistance may be needed in the event of a radiation emergency shall be described. This shall include a description of specialized initial training and periodic retraining programs to be provided to each of the following categories of emergency personnel:</p>		<p>emergency response duties, and (b) The participation in the training and drills by other persons whose assistance may be needed in the event of a radiological emergency shall be described. This shall include a description of specialized initial training and periodic retraining programs to be provided to each of the following categories of emergency personnel:</p>	<p>Emergency Planning commitments are provided in DSEP Section 8.1.</p>
<p>i. Directors and/or coordinators of the plant emergency organization; ii. Personnel responsible for accident assessment, including control room shift personnel; iii. Radiological monitoring teams; iv. Fire control teams (fire brigades); v. Repair and damage control teams; vi. First aid and rescue teams; vii. Medical support personnel; viii. Licensee's headquarters support personnel; ix. Security personnel.</p> <p>In addition, a radiological orientation training program shall be made available to local services personnel; e.g., local emergency services/Civil Defense, local law enforcement</p>	<p>i. Directors and/or coordinators of the plant emergency organization; ii. Personnel responsible for accident assessment, including control room shift personnel; iii. Radiological monitoring teams; iv. Fire control teams (fire brigades); v. Repair and damage control teams; vi. First aid and rescue teams; vii. Medical support personnel; viii. Licensee's headquarters support personnel; ix. Security personnel.</p> <p>In addition, a radiological orientation training program shall be made available to local services personnel; e.g., local emergency</p>	<p>i. Directors and/or coordinators of the plant emergency organization; ii. Personnel responsible for accident assessment, including control room shift personnel; iii. Radiological monitoring teams; iv. Fire control teams (fire brigades); v. Repair and damage control teams; vi. First aid and rescue teams; vii. Medical support personnel; viii. Licensee's headquarters support personnel; ix. Security personnel.</p> <p>In addition, a radiological orientation training program shall be made available to local services personnel; e.g., local emergency services/Civil Defense, local law</p>	<p>ZionSolutions complies with this requirement as exempted.</p> <p>Based on the 1999 exemption, there is no longer a need for offsite company personnel to provide assistance in the event of a radiological emergency. Additional personnel are not required to respond to an emergency other than first responders from offsite emergency organizations depending on the nature of the emergency.</p> <p>DSEP Sections 8.2 and 8.3 provide guidance on this requirement. Overall</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
personnel, local news media persons.	services/Civil Defense, local law enforcement personnel, local news media persons.	enforcement personnel, local news media persons.	administrative controls for Emergency Planning commitments are provided in DSEP Section 8.1.
<p>2. The plan shall describe provisions for the conduct of emergency preparedness exercises as follows: Exercises shall test the adequacy of timing and content of implementing procedures and methods, test emergency equipment and communications networks, test the public notification system, and ensure that emergency organization personnel are familiar with their duties.</p> <p>a. A full participation exercise which tests as much of the licensee, State, and local emergency plans as is reasonably achievable without mandatory public participation shall be conducted for each site at which a power reactor is located.</p>	<p>2. The plan shall describe provisions for the conduct of emergency preparedness exercises as follows: Exercises shall test the adequacy of timing and content of implementing procedures and methods, test emergency equipment and communications networks, test the public notification system, and ensure that emergency organization personnel are familiar with their duties.</p>	<p>2. The plan shall describe provisions for the conduct of emergency preparedness exercises as follows: Exercises shall test the adequacy of timing and content of implementing procedures and methods, test emergency equipment and communications networks, test the public alert and notification system, and ensure that emergency organization personnel are familiar with their duties.³</p>	<p>ZionSolutions complies with this requirement as exempted.</p> <p>ZionSolutions meets this requirement for drills and exercises except there is no longer a need for a public notification system as discussed in the 1999 exemption.</p> <p>DSEP Section 8.3 describes the drills and exercises for the onsite organization. Overall administrative controls for Emergency Planning commitments and for performing drills and exercises are discussed in DSEP Section 8.1.</p>
		<p>a. A full participation⁴ exercise which tests as much of the licensee, State, and local emergency plans as is reasonably achievable without mandatory public participation shall be conducted for each site at which a power reactor is located. Nuclear power reactor licensees shall</p>	<p>Exemption Request needed for challenging drills and exercises. See Enclosure 1, Item A.6. The NRC approved 1999 exemption already includes exemption from the requirement for a full participation exercise (Enclosure 1, Item A.6, F.2.c)</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		<i>submit exercise scenarios under § 50.4 at least 60 days before use in a full participation exercise required by this paragraph 2.a.</i>	
		(i) For an operating license issued under this part, this exercise must be conducted within two years before the issuance of the first operating license for full power (one authorizing operation above 5 percent of rated power) of the first reactor and shall include participation by each State and local government within the plume exposure pathway EPZ and each state within the ingestion exposure pathway EPZ. If the full participation exercise is conducted more than 1 year prior to issuance of an operating license for full power, an exercise which tests the licensee's onsite emergency plans must be conducted within one year before issuance of an operating license for full power. This exercise need not have State or local government participation.	
		(ii) For a combined license issued under part 52 of this chapter, this exercise must be conducted within two years of the scheduled date for	

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		<p>initial loading of fuel. If the first full participation exercise is conducted more than one year before the scheduled date for initial loading of fuel, an exercise which tests the licensee's onsite emergency plans must be conducted within one year before the scheduled date for initial loading of fuel. This exercise need not have State or local government participation. If FEMA identifies one or more deficiencies in the state of offsite emergency preparedness as the result of the first full participation exercise, or if the Commission finds that the state of emergency preparedness does not provide reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency, the provisions of § 50.54(gg) apply.</p>	
		<p>(iii) For a combined license issued under part 52 of this chapter, if the applicant currently has an operating reactor at the site, an exercise, either full or partial participation,⁵ shall be conducted for each subsequent reactor constructed on the site. This exercise may be incorporated in the exercise requirements of Sections</p>	

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		IV.F.2.b. and c. in this appendix. If FEMA identifies one or more deficiencies in the state of offsite emergency preparedness as the result of this exercise for the new reactor, or if the Commission finds that the state of emergency preparedness does not provide reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency, the provisions of § 50.54(gg) apply.	
b. Each licensee at each site shall conduct an exercise of its onsite emergency plan every 2 years. The exercise may be included in the full participation biennial exercise required by paragraph 2.c. of this section. In addition, the licensee shall take actions necessary to ensure that adequate emergency response capabilities are maintained during the interval between biennial exercises by conducting drills, including at least one drill involving a combination of some of the principal functional areas of the licensee's onsite emergency response capabilities. The principal functional areas of emergency response include	b. Each licensee at each site shall conduct an exercise of its onsite emergency plan every 2 years. The exercise may be included in the full participation biennial exercise required by paragraph 2.c. of this section. In addition, the licensee shall take actions necessary to ensure that adequate emergency response capabilities are maintained during the interval between biennial exercises by conducting drills, including at least one drill involving a combination of some of the principal functional areas of the licensee's onsite emergency response capabilities. The principal functional areas of emergency	b. Each licensee at each site shall conduct a subsequent exercise of its onsite emergency plan every 2 years. <i>Nuclear power reactor licensees shall submit exercise scenarios under § 50.4 at least 60 days before use in an exercise required by this paragraph 2.b.</i> The exercise may be included in the full participation biennial exercise required by paragraph 2.c. of this section. In addition, the licensee shall take actions necessary to ensure that adequate emergency response capabilities are maintained during the interval between biennial exercises by conducting drills, including at least one drill involving	ZionSolutions complies with this requirement as exempted. ZionSolutions meets this requirement for drills and exercises except there is no longer a need for emergency response facilities as discussed in the 1999 exemption. DSEP Section 8.2 describes the drills and exercises for the onsite organization. Overall administrative controls for Emergency Planning commitments and for performing drills and exercises are discussed in DSEP Section 8.1.

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p>activities such as management and coordination of emergency response, accident assessment, protective action decision making, and plant system repair and corrective actions. During these drills, activation of all of the licensee's emergency response facilities (Technical Support Center (TSC), Operations Support Center (OSC), and the Emergency Operations Facility (EOF)) would not be necessary, licensees would have the opportunity to consider accident management strategies, supervised instruction would be permitted, operating staff would have the opportunity to resolve problems (success paths) rather than have controllers intervene, and the drills could focus on onsite training objectives.</p>	<p>response include activities such as management and coordination of emergency response, accident assessment, protective action decision making, and plant system repair and corrective actions. During these drills, activation of all of the licensee's emergency response facilities (Technical Support Center (TSC), Operations Support Center (OSC), and the Emergency Operations Facility (EOF)) would not be necessary, licensees would have the opportunity to consider accident management strategies, supervised instruction would be permitted, operating staff would have the opportunity to resolve problems (success paths) rather than have controllers intervene, and the drills could focus on onsite training objectives.</p>	<p>a combination of some of the principal functional areas of the licensee's onsite emergency response capabilities. The principal functional areas of emergency response include activities such as management and coordination of emergency response, accident assessment, <i>event classification, notification of offsite authorities, assessment of the onsite and offsite impact of radiological releases, protective action recommendation development</i>, protective action decision making, plant system repair and <i>mitigative action implementation</i>. During these drills, activation of all of the licensee's emergency response facilities (Technical Support Center (TSC), Operations Support Center (OSC), and the Emergency Operations Facility (EOF)) would not be necessary, licensees would have the opportunity to consider accident management strategies, supervised instruction would be permitted, operating staff in all participating facilities would have the opportunity to resolve problems (success paths) rather than have controllers intervene, and the drills</p>	<p>Exemption Request needed for challenging drills and exercises. See Enclosure 1, Item A.6.</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p>c. Offsite plans for each site shall be exercised biennially with full participation by each offsite authority having a role under the radiological response plan. Where the offsite authority has a role under a radiological response plan for more than one site, it shall fully participate in one exercise every two years and shall, at least, partially participate in other offsite plan exercises in this period.</p>	<p>e. Offsite plans for each site shall be exercised biennially with full participation by each offsite authority having a role under the plan. Where the offsite authority has a role under a radiological response plan for more than one site, it shall fully participate in one exercise every two years and shall, at least, partially participate(5) in other offsite plan exercises in this period.</p>	<p>may focus on the onsite exercise training objectives.</p> <p>c. Offsite plans for each site shall be exercised biennially with full participation by each offsite authority having a role under the radiological response plan. Where the offsite authority has a role under a radiological response plan for more than one site, it shall fully participate in one exercise every two years and shall, at least, partially participate in other offsite plan exercises in this period. <i>If two different licensees each have licensed facilities located either on the same site or on adjacent, contiguous sites, and share most of the elements defining co-located licensees,⁶ then each licensee shall:</i> <i>(1) Conduct an exercise biennially of its onsite emergency plan;</i> <i>(2) Participate quadrennially in an offsite biennial full or partial participation exercise;</i> <i>(3) Conduct emergency preparedness activities and interactions in the years between its participation in the offsite full or partial participation exercise with offsite authorities, to test and</i></p>	<p>ZionSolutions is exempted from this requirement in its entirety.</p> <p>Based on the 1999 exemption, no action is expected from the State or local government organizations in response to events at the site.</p> <p>ZionSolutions no longer has an EPZ and onsite and offsite organizations have the staff and resources to respond to an onsite emergency, if requested. The onsite plan is exercised at least once every two years.</p> <p>DSEP Section 8.3 describes the drills and exercises for the onsite organization. Overall administrative controls for Emergency Planning commitments and for performing drills and exercises are discussed in DSEP Section 8.1.</p> <p>Exemption Request needed for challenging drills and exercises. See Enclosure 1, Item A.6.</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		<p>maintain interface among the affected State and local authorities and the licensee. Co-located licensees shall also participate in emergency preparedness activities and interaction with offsite authorities for the period between exercises;</p> <p>(4) Conduct a hostile action exercise of its onsite emergency plan in each exercise cycle; and</p> <p>(5) Participate in an offsite biennial full or partial participation hostile action exercise in alternating exercise cycles.</p>	
<p>d. A State should fully participate in the ingestion pathway portion of exercises at least once every six years. In States with more than one site, the State should rotate this participation from site to site.</p>	<p>d. A State should fully participate in the ingestion pathway portion of exercises at least once every six years. In States with more than one site, the State should rotate this participation from site to site.</p>	<p>d. Each State with responsibility for nuclear power reactor emergency preparedness should fully participate in the ingestion pathway portion of exercises at least once every exercise cycle. In States with more than one nuclear power reactor plume exposure pathway EPZ, the State should rotate this participation from site to site. Each State with responsibility for nuclear power reactor emergency preparedness should fully participate in a hostile action exercise at least once every cycle and should fully participate in one</p>	<p>ZionSolutions is exempted from this requirement in its entirety.</p> <p>Based on the 1999 exemption, no action is expected from the State or local government organizations in response to events at the site. Zion no longer has an EPZ and onsite and offsite organizations have the staff and resources to respond to an onsite emergency, if requested.</p> <p>The onsite plan is exercised at least once every two years. DSEP Section 8.3 describes the</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		hostile action exercise by December 31, 2015. States with more than one nuclear power reactor plume exposure pathway EPZ should rotate this participation from site to site.	drills and exercises for the onsite organization. Overall administrative controls for Emergency Planning commitments and for performing drills and exercises are discussed in DSEP Section 8.1. Exemption Request needed for challenging drills and exercises. See Enclosure 1, Item A.6.
e. Licensees shall enable any State or local Government located within the plume exposure pathway EPZ to participate in the licensee's drills when requested by such State or local Government.	e. Licensees shall enable any State or local Government <u>support service</u> located within the plume exposure pathway EPZ to participate in the licensee's drills when requested by such State or local Government <u>support service</u> . 10CFR50 Appendix E. IV.F.2.e. – Exemption is being requested to clarify the local Government entities permitted to participate in emergency preparedness drills by including the phase 'support service' modifying 'local Government.' These local governmental organizations provide emergency support service (viz. ambulance, fire, police) to ZionSolutions upon request. These	e. Licensees shall enable any State or local government <u>support service</u> located within the plume exposure pathway EPZ to participate in the licensee's drills when requested by such State or local government.	ZionSolutions complies with this requirement as exempted. Based on the 1999 exemption, no action is expected from the State or local government organizations in response to events at the site. Zion no longer has an EPZ and onsite and offsite organizations have the staff and resources to respond to an onsite emergency, if requested. The onsite plan is exercised at least once every two years. DSEP Section 8.3 describes the drills and exercises for the onsite organization. Overall administrative controls for Emergency Planning

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
	organizations are identified in the DSEP pursuant to 10CFR50 Appendix E IV.A.6.		commitments and for performing drills and exercises are discussed in DSEP Section 8.1.
f. Remedial exercises will be required if the emergency plan is not satisfactorily tested during the biennial exercise, such that NRC, in consultation with FEMA, cannot find reasonable assurance that adequate protective measures can be taken in the event of a radiological emergency. The extent of State and local participation in remedial exercises must be sufficient to show that appropriate corrective measures have been taken regarding the elements of the plan not properly tested in the previous exercises.	f. Remedial exercises will be required if the emergency plan is not satisfactorily tested during the biennial exercise, such that NRC, in consultation with FEMA, cannot find reasonable assurance that adequate protective measures can be taken in the event of a radiological emergency. The extent of State and local participation in remedial exercises must be sufficient to show that appropriate corrective measures have been taken regarding the elements of the plan not properly tested in the previous exercises.	f. Remedial exercises will be required if the emergency plan is not satisfactorily tested during the biennial exercise, such that NRC, in consultation with FEMA, cannot (1) find reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency <i>or</i> (2) determine that the Emergency Response Organization (ERO) has maintained key skills specific to emergency response. The extent of State and local participation in remedial exercises must be sufficient to show that appropriate corrective measures have been taken regarding the elements of the plan not properly tested in the previous exercises.	ZionSolutions complies with this requirement as exempted. Based on the 1999 exemption, no action is expected from the State or local government organizations in response to events at the site. Zion no longer has an EPZ and onsite and offsite organizations have the staff and resources to respond to an onsite emergency, if requested. The onsite plan is exercised at least once every two years. DSEP Section 8.3 describes the drills and exercises for the onsite organization. Overall administrative controls for Emergency Planning commitments and for performing drills and exercises are discussed in DSEP Section 8.1.
g. All training, including exercises, shall provide for formal critiques in order to identify weak or deficient areas that need correction. Any	None	<i>g. All exercises, drills, and training that provide performance opportunities to develop, maintain, or demonstrate key skills must</i>	ZionSolutions complies with this requirement. DSEP Section 8.3 describes the drills and exercises for the onsite

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
weaknesses or deficiencies that are identified shall be corrected.		provide for formal critiques in order to identify weak or deficient areas that need correction. Any weaknesses or deficiencies that are identified <i>in a critique of exercises, drills, or training must</i> be corrected.	organization. Overall administrative controls for Emergency Planning commitments and for performing drills and exercises are discussed in DSEP Section 8.1.
h. The participation of State and local governments in an emergency exercise is not required to the extent that the applicant has identified those governments as refusing to participate further in emergency planning activities, pursuant to 10 CFR 50.47(c)(1). In such cases, an exercise shall be held with the applicant or licensee and such governmental entities as elect to participate in the emergency planning process.	None	h. The participation of State and local governments in an emergency exercise is not required to the extent that the applicant has identified those governments as refusing to participate further in emergency planning activities, pursuant to § 50.47(c)(1). In such cases, an exercise shall be held with the applicant or licensee and such governmental entities as elect to participate in the emergency planning process.	ZionSolutions complies with this requirement. DSEP Section 8.3 describes the drills and exercises for the onsite organization. Overall administrative controls for Emergency Planning commitments and for performing drills and exercises are discussed in DSEP Section 8.1.
		<i>i. Licensees shall use drill and exercise scenarios that provide reasonable assurance that anticipatory responses will not result from preconditioning of participants. Such scenarios for nuclear power reactor licensees must include a wide spectrum of radiological releases and events, including hostile action. Exercise and drill scenarios as appropriate must emphasize coordination</i>	Exemption Request needed for challenging drills and exercises. See Enclosure 1, Item A.6.

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		among onsite and offsite response organizations.	
		<p>j. The exercises conducted under paragraph 2 of this section by nuclear power reactor licensees must provide the opportunity for the ERO to demonstrate proficiency in the key skills necessary to implement the principal functional areas of emergency response identified in paragraph 2.b of this section. Each exercise must provide the opportunity for the ERO to demonstrate key skills specific to emergency response duties in the control room, TSC, OSC, EOF, and joint information center. Additionally, in each eight calendar year exercise cycle, nuclear power reactor licensees shall vary the content of scenarios during exercises conducted under paragraph 2 of this section to provide the opportunity for the ERO to demonstrate proficiency in the key skills necessary to respond to the following scenario elements: hostile action directed at the plant site, no radiological release or an unplanned minimal radiological</p>	<p>Exemption Request needed for challenging drills and exercises. See Enclosure 1, Item A.6.</p>

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
		release that does not require public protective actions, an initial classification of or rapid escalation to a Site Area Emergency or General Emergency, implementation of strategies, procedures, and guidance developed under § 50.54(hh)(2), and integration of offsite resources with onsite response. The licensee shall maintain a record of exercises conducted during each eight year exercise cycle that documents the content of scenarios used to comply with the requirements of this paragraph. Each licensee shall conduct a hostile action exercise for each of its sites no later than December 31, 2015. The first eight-year exercise cycle for a site will begin in the calendar year in which the first hostile action exercise is conducted. For a site licensed under Part 52, the first eight-year exercise cycle begins in the calendar year of the initial exercise required by Section IV.F.2.a	
G. Maintaining Emergency Preparedness Provisions to be employed to ensure that the emergency plan, its	None	G. Maintaining Emergency Preparedness Provisions to be employed to ensure that the emergency plan, its	ZionSolutions complies with this requirement. DSEP Section 8.1, 8.2 and 8.4

Historical Rule Language (Prior to December 23, 2011)	Current Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
implementing procedures, and emergency equipment and supplies are maintained up to date shall be described.		implementing procedures, and emergency equipment and supplies are maintained up to date shall be described.	describe how the DSEP, EPIPS, and the equipment and supplies are maintained up to date.
<i>H. Recovery</i> Criteria to be used to determine when, following an accident, reentry of the facility would be appropriate or when operation could be resumed shall be described.	None	<i>H. Recovery</i> Criteria to be used to determine when, following an accident, reentry of the facility would be appropriate or when operation could be resumed shall be described.	ZionSolutions complies with this requirement. DSEP Section 5.0 describes the recovery actions following an accident. The EPIPs implement the recovery actions described within the Emergency Plan.
		I. Onsite Protective Actions During Hostile Action By June 20, 2012, for nuclear power reactor licensees, a range of protective actions to protect onsite personnel during hostile action must be developed to ensure the continued ability of the licensee to safely shut down the reactor and perform the functions of the licensee's emergency plan.	Exemption Request for protection of onsite personnel. See Enclosure 1, Item A.5
V. Implementing Procedures No less than 180 days before the scheduled issuance of an operating license for a nuclear power reactor or a license to possess nuclear material,	None	V. Implementing Procedures No less than 180 days before the scheduled issuance of an operating license for a nuclear power reactor or a license to possess nuclear	ZionSolutions complies with this requirement. ZionSolutions maintains an NRC approved Emergency Plan. It is included by reference in DSAR

Historical Rule Language (Prior to December 23, 2011)	Curent Exemptions to Historical Rule	New Emergency Planning Rule and Requested Exemptions (76 FR 72596, Nov. 23, 2011)	Compliance Discussion, Applicability and Implementing Procedures
<p>or the scheduled date for initial loading of fuel for a combined license under part 52 of this chapter, the applicant's or licensee's detailed implementing procedures for its emergency plan shall be submitted to the Commission as specified in § 50.4. Licensees who are authorized to operate a nuclear power facility shall submit any changes to the emergency plan or procedures to the Commission, as specified in § 50.4, within 30 days of such changes.</p>		<p>material, or the scheduled date for initial loading of fuel for a combined license under part 52 of this chapter, the applicant's or licensee's detailed implementing procedures for its emergency plan shall be submitted to the Commission as specified in § 50.4. Licensees who are authorized to operate a nuclear power facility shall submit any changes to the emergency plan or procedures to the Commission, as specified in § 50.4, within 30 days of such changes.</p>	<p>Section 6.5.1. The Emergency Plan has been modified based on the current conditions of the site. Previous exemptions were issued by the NRC on August 31, 1999 to reflect the defueled condition of the reactor with spent fuel in the spent fuel pool.</p>
VI. Emergency Response Data System	None	VI. Emergency Response Data System	<p>Zion is decommissioning the site and is not required to have an ERDS per Appendix E, Section VI.2.</p>