

December 13, 2013

Mr. John Sauger
General Manager
Zion Restoration Project
ZionSolutions LLC
101 Shiloh Blvd.
Zion, IL 60099-2797

SUBJECT: ISSUANCE OF AMENDMENTS AND EXEMPTIONS RELATING TO THE
INDEPENDENT SPENT FUEL STORAGE INSTALLATION PHYSICAL
SECURITY PLAN FOR ZION NUCLEAR POWER STATION, UNITS 1 AND 2
(TAC NOS. J00436 AND J00437)

Dear Mr. Sauger:

By letter dated June 18, 2012, as supplemented by letters dated June 5, 2013, and October 4, 2013, you submitted an application, pursuant to Section 50.90 and Section 73.5 of Title 10 of the *Code of Federal Regulations* (10 CFR), requesting a License Amendment and Exemption for the decommissioning Zion Nuclear Power Station (ZNPS) Units 1 and 2.

The proposed amendment to Facility Operating License Nos. DPR-39 and DPR-48, requested approval of a revision to the (ZNPS) Physical Security Plan (PSP) including a Transfer Plan; a new stand-alone ZNPS Independent Spent Fuel Storage Installation (ISFSI) Physical Security Plan; and a revision to License Condition 2.C (6) of licenses DPR-39 and DPR-48 to incorporate the ISFSI PSP. You also requested that several existing NRC approved exemptions to various provisions of 10 CFR 73.55 would be applied to the ISFSI PSP. As discussed in the safety evaluation, the ZNPS ISFSI PSP is a standalone document, and application of previous exemptions is not necessary. However, based upon your application and the staff's review, the staff has determined that exemptions from the following provisions are granted for the ZNPS ISFSI PSP: 10 CFR 73.55(c)(5); 10 CFR 73.55(h)(3)(ii); 10 CFR(i)(2); 10 CFR 73.55(i)(4)(i); 10 CFR 73.55(i)(4)(ii)(G); 10 CFR 73.55(k)(5)(ii); 10 CFR 73.55(k)(5)(iii); 10 CFR 73.55(n)(i); 10 CFR 73.55(n)(ii); 10 CFR 73.55(n)(iii); 10 CFR 73.55(p)(1)(i); and 10 CFR 73.55(p)(ii).

As discussed in the enclosed Safety Evaluation, the revised PSPs meet NRC Order EA-11-268 and the applicable regulatory requirements in 10 CFR Part 73.55 or have demonstrated that an exemption is warranted. Therefore the proposed PSPs are approved. This amendment revises the ZNPS Licenses to reference that approval. A copy of the Safety Evaluation is enclosed. The Notice of Issuance will be included in the Commission's next biweekly *Federal Register* notice.

The enclosed Federal Register notice concludes that the issued exemptions are authorized by law, will not endanger life or property or the common defense and security, and are otherwise in the public interest. Accordingly, pursuant to 10 CFR 73.5, as specified in the enclosed notice, these exemptions are granted and effective immediately. Notices of the amendment and exemptions will be published in the Federal Register. Further details on the exemptions are included in the enclosed Safety Evaluation.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Pursuant to 10 CFR 51.22(c)(12), the Commission has determined the issuance of this amendment is categorically excluded and pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared. The exemption approves a safeguards plan submitted under Part 73 and does not involve any significant construction impacts.

Pursuant to 10 CFR 51.22(c)(25), the Commission has determined the granting of these exemptions is also categorically excluded, and pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared. The exemption involves safeguard plans, as described in 10 CFR 51.22(c)(25)(vi)(F). Approval of this exemption request involves no significant hazards consideration; no significant change in the types or significant increase in the amounts of any effluents that may be released offsite; no significant increase in individual or cumulative public or occupational radiation exposure; no significant construction impact; and no significant increase in the potential for or consequences from radiological accidents.

Should you have any questions regarding this action please contact me at 301-415-3017 or John.Hickman@nrc.gov.

Sincerely,

/RA/ by A. Mohseni for

Andrew Persinko, Deputy Director
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket Nos.: 50-295 and 50-304
License Nos.: DPR-39 and DPR-49

Enclosures:

1. Amendment to DPR-39
2. Amendment to DPR-48
3. Exemption
4. Safety Evaluation (Safeguards Information, withhold from public disclosure)

cc: w/enclosures 1, 2, and 3:
Zion Service List

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Zion Service List

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OFFICIAL RECORD COPY

Zion Nuclear Power Station, Units 1 and 2 Service List

cc:

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