

July 7, 2015

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

SUBJECT: ZION NUCLEAR POWER STATION, UNITS 1 AND 2 - REQUEST FOR  
EXEMPTION FROM CERTAIN SECURITY REQUIREMENTS IN  
10 CFR PART 37 (TAC NOS. J52987 AND J52988)

Dear Mr. Sauger:

By letter dated March 13, 2014, (Agencywide Documents and Access Management System (ADAMS) Accession No. ML14073A069) as supplemented July 21, 2014, (ML14204A055), and February 5, 2015, (ML15040A133), ZionSolutions, LLC (ZS), pursuant to 10 CFR 37.11, "Specific Exemptions," submitted a request for an exemption from certain security requirements in Part 37 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 37), for the Zion Nuclear Power Station (ZNPS). These submittals are being withheld from public disclosure as Security-Related Information. Your request for exemption was based on certain alternative protective measures that did not meet the specific requirements of 10 CFR Part 37, but that you contended met the underlying purpose of the regulations.

On March 13, 2014, the NRC issued "Enforcement Guidance Memorandum 2014-001: Interim Guidance for Dispositioning 10 CFR Part 37 Violations with Respect to Large Components or Robust Structures Containing Category 1 or Category 2 Quantities of Material at Power Reactor Facilities Licensed Under 10 CFR Parts 50 And 52," (ML14056A151). This enforcement guidance memorandum (EGM) provided guidance for dispositioning violations associated with Part 37 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material," with respect to large components containing category 1 or category 2 quantities of radioactive material, or category 1 and category 2 quantities of radioactive material stored in robust structures at power reactor facilities licensed under 10 CFR Parts 50 and 52.

Our review of your exemption request has determined that the facilities, conditions and planned actions as described in your request are consistent with the facilities, conditions and planned actions which qualify for enforcement discretion as described in the EGM. Therefore, the EGM provides an appropriate regulatory basis for your situation and obviates the need for an exemption. Based on the above, your request for exemptions from 10 CFR Part 37 is denied. Should you wish to receive the discretion available under EGM 2014-001, you should retain a copy of the documentation related to your exemption request as this documentation will serve as your written analysis that describes the security measures you will use to detect, assess, and respond to an actual or attempted theft or diversion for your large components and robust structures. You are also reminded to retain a written analysis documenting that your security measures do not decrease the effectiveness of your 10 CFR Part 73 security plan.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," 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>.

Should you have any questions regarding this action please contact John Hickman at 301-415-3017 or [John.Hickman@nrc.gov](mailto:John.Hickman@nrc.gov).

Sincerely,

**R/A**

Larry W. Camper, Director  
Division of Decommissioning, Uranium Recovery,  
and Waste Programs  
Office of Nuclear Material Safety  
and Safeguards

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

cc: Zion Service List

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Sincerely,

**R/A**

Larry W. Camper, Director  
 Division of Decommissioning, Uranium Recovery,  
 and Waste Programs  
 Office of Nuclear Material Safety  
 and Safeguards

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

cc: Zion Service List

**ML15119A099**

OFFICE	RDB/PM	RDB/LA	RDB/BC	NSIR	OGC	DWMEP/DD
NAME	JHickman	CHolston	BWatson	SWastler	ACoggins	LCamper
DATE	5/ 1 /15	5/ 4 /15	5/ 4 /15	5/ 18 /15	6/ 5 /15	6/ 25 /15

**OFFICIAL RECORD COPY**

Zion Nuclear Power Station, Units 1 and 2 Service List

cc:

Ken Robuck  
President of Logistics, Processing and  
Disposal Group  
EnergySolutions  
423 West 300 South, Suite 200  
Salt Lake City, UT 84101

John Sauger  
Senior VP & General Manager  
ZionSolutions LLC  
101 Shiloh Blvd.  
Zion, IL 60099-2797

Gerard van Noordennen  
VP Regulatory Affairs  
ZionSolutions, LLC  
101 Shiloh Blvd.  
Zion, IL 60099-2797

Anthony Orawiec  
Decommissioning Plant Manager  
ZionSolutions, LLC  
101 Shiloh Blvd.  
Zion, IL 60099-2797

Dan Shrum  
Senior VP Regulatory Affairs  
EnergySolutions  
423 West 300 South, Ste. 200  
Salt Lake City, UT 84101

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

Alwyn C. Settles  
Section Head, Nuclear Facility Inspection  
Bureau of Nuclear Facility Safety  
Illinois Emergency Management Agency  
1011 North St., PO Box 250  
Mazon, IL 60444

Mayor of Zion  
Zion, IL 60099

Kelly F. Grahn  
Senior Health Physicist, Unit Supervisor  
Bureau of Radiation Safety, Environmental  
Management  
Illinois Emergency Management Agency  
245 W Roosevelt Road, Building 8, Suite 55  
West Chicago, IL 60185

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

Tom Rielly, Executive Principal  
Vista 360  
649 Innsbruck  
Libertyville, IL 60048

Director Spent Fuel & Decommissioning  
Strategy  
Exelon Generation Company, LLC  
4300 Winfield Road  
Warrenville, IL 60555

J. Bradley Fewell  
Associate General Counsel  
Exelon Corporation, LLC  
4300 Winfield Rd.  
Warrenville, IL 60555

Document Control Desk - Licensing  
Exelon Generation Company, LLC  
4300 Winfield Road  
Warrenville, IL 60555