

December 15, 2003

Mr. John E. Matthews  
Counsel for MidAmerican Energy Company  
Morgan, Lewis & Bockius, LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004

SUBJECT: QUAD CITIES NUCLEAR POWER STATION, UNITS 1 AND 2 - ISSUANCE OF  
ENVIRONMENTAL ASSESSMENT (TAC NOS. MC1371 AND MC1372)

Dear Mr. Matthews:

Enclosed is a copy of the Environmental Assessment and Finding of No Significant Impact related to your application for a temporary exemption from the requirements of Section 50.75(h)(2) of Title 10 of the *Code of Federal Regulations* (10 CFR), dated November 21, 2003. The proposed action would exempt MidAmerican Energy Company (MEC) from compliance with requirements of the new regulation until MEC's amended nuclear decommissioning trusts are approved by the Illinois Commerce Commission.

The assessment is being forwarded to the Office of the Federal Register for publication.

Sincerely,

**/RA/**

Lawrence W. Rossbach, Project Manager, Section 2  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos.: 50-254 and 50-265

Enclosure: Environmental Assessment

cc w/encl: See next page

December 15, 2003

Mr. John E. Matthews  
Counsel for MidAmerican Energy Company  
Morgan, Lewis & Bockius, LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004

SUBJECT: QUAD CITIES NUCLEAR POWER STATION, UNITS 1 AND 2 - ISSUANCE OF  
ENVIRONMENTAL ASSESSMENT (TAC NOS. MC1371 AND MC1372)

Dear Mr. Matthews:

Enclosed is a copy of the Environmental Assessment and Finding of No Significant Impact related to your application for a temporary exemption from the requirements of Section 50.75(h)(2) of Title 10 of the *Code of Federal Regulations* (10 CFR), dated November 21, 2003. The proposed action would exempt MidAmerican Energy Company (MEC) from compliance with requirements of the new regulation until MEC's amended nuclear decommissioning trusts are approved by the Illinois Commerce Commission.

The assessment is being forwarded to the Office of the Federal Register for publication.

Sincerely,

*/RA/*

Lawrence W. Rossbach, Project Manager, Section 2  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos.: 50-254 and 50-265

Enclosure: Environmental Assessment

cc w/encl: See next page

DISTRIBUTION:

PUBLIC	OGC,	MShuaibi
PD3-2 r/f	ACRS,	
WRuland	GHill (4)	
AMendiola	TBoyce	
LRossbach	MRing, RIII	
PCoates	JTappert	

**ADAMS Accession Number: ML033450124**

OFFICE	PM:LPD3-2	LA:LPD3-2	DRIP:RLEP/ES	OGC	SC:LPD3-2
NAME	LRossbach	PCoates	JTappert	SUtal, NLO	DPickett for, AMendiola
DATE	12/11/03	12/11/03	12/11/03	12/15/03	12/15/03

**OFFICIAL RECORD COPY**

Quad Cities Nuclear Power Station Units 1 and 2

cc:

Site Vice President - Quad Cities Nuclear Power  
Station  
Exelon Generation Company, LLC  
22710 206th Avenue N.  
Cordova, IL 61242-9740

Quad Cities Nuclear Power Station Plant Manager  
Exelon Generation Company, LLC  
22710 206th Avenue N.  
Cordova, IL 61242-9740

Regulatory Assurance Manager - Quad Cities  
Exelon Generation Company, LLC  
22710 206th Avenue N.  
Cordova, IL 61242-9740

Quad Cities Resident Inspectors Office  
U.S. Nuclear Regulatory Commission  
22712 206th Avenue N.  
Cordova, IL 61242

David C. Tubbs  
MidAmerican Energy Company  
One River Center Place  
106 E. Second, P.O. Box 4350  
Davenport, IA 52808-4350

Vice President - Law and Regulatory Affairs  
MidAmerican Energy Company  
One River Center Place  
106 E. Second Street  
P.O. Box 4350  
Davenport, IA 52808

Chairman  
Rock Island County Board of Supervisors  
1504 3rd Avenue  
Rock Island County Office Bldg.  
Rock Island, IL 61201

Regional Administrator  
U.S. NRC, Region III  
801 Warrenville Road  
Lisle, IL 60532-4351

Illinois Emergency Management  
Agency  
Division of Disaster Assistance &  
Preparedness  
110 East Adams Street  
Springfield, IL 62701-1109

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

Senior Vice President - Nuclear Services  
Exelon Generation Company, LLC  
4300 Winfield Road  
Warrenville, IL 60555

Vice President - Operations Support  
Exelon Generation Company, LLC  
4300 Winfield Road  
Warrenville, IL 60555

Chief Operating Officer  
Exelon Generation Company, LLC  
4300 Winfield Road  
Warrenville, IL 60555

Vice President - Licensing and Regulatory  
Affairs  
Exelon Generation Company, LLC  
4300 Winfield Road  
Warrenville, IL 60555

Director Licensing  
Mid-West Regional Operating Group  
Exelon Generation Company, LLC  
4300 Winfield Road  
Warrenville, IL 60555

Senior Counsel, Nuclear  
Exelon Generation Company, LLC  
4300 Winfield Road  
Warrenville, IL 60555

Manager Licensing - Dresden and Quad Cities  
Exelon Generation Company, LLC  
4300 Winfield Road  
Warrenville, IL 60555

Mr. John L. Skolds, President  
Exelon Nuclear  
Exelon Generation Company, LLC  
4300 Winfield Road  
Warrenville, IL 60555

UNITED STATES NUCLEAR REGULATORY COMMISSION

EXELON GENERATION COMPANY, LLC

AND

MIDAMERICAN ENERGY COMPANY

DOCKET NOS. 50-254 AND 50-265

QUAD CITIES NUCLEAR POWER STATION, UNITS 1 AND 2

ENVIRONMENTAL ASSESSMENT AND FINDING OF

NO SIGNIFICANT IMPACT

The Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from 10 CFR 50.75(h)(2) for Facility Operating License Nos. DPR-29 and DPR-30, issued to Exelon Generation Company, LLC (Exelon) and MidAmerican Energy Company (MEC) (the licensee), for operation of the Quad Cities Nuclear Power Station, Units 1 and 2, located in Rock Island County, Illinois. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

ENVIRONMENTAL ASSESSMENT

Identification of the Proposed Action:

The proposed is an exemption to the requirements of 10 CFR 50.75(h)(2), as requested by MEC by letter dated November 21, 2003. The proposed action would exempt MEC from compliance with requirements of the new regulation until MEC's amended nuclear decommissioning trusts are approved by the Illinois Commerce Commission.

The Need for the Proposed Action:

The proposed exemption from 10 CFR 50.75(h)(2) is needed because MEC may not obtain approval of the amended nuclear decommissioning trusts from the Illinois Commerce Commission prior to December 24, 2003.

Environmental Impacts of the Proposed Action:

The NRC has completed its safety evaluation of the proposed action and concludes that the proposed exemption will not present an undue risk to the public health and safety. The details of the staff's safety evaluation will be provided in the exemption that will be issued as part of the letter to the MEC approving the exemption to the regulation.

The proposed action will not significantly increase the probability or consequences of accidents. No changes are being made in the types of effluents that may be released offsite. There is no significant increase in the amount of any effluent released offsite. There is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

Environmental Impacts of the Alternatives to the Proposed Action:

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources:

The action does not involve the use of any different resources than those previously considered in the Final Environmental Statement for the Quad Cities Power Station, Units 1 and 2 dated September 1972 and the Draft Supplemental Environmental Impact Statement (NUREG-1437 Supplement 16) dated November 2003.

Agencies and Persons Consulted:

On December 10, 2003, the staff consulted with the Illinois State official, Frank Niziiolek, of the Illinois Emergency Management Agency, regarding the environmental impact of the proposed action. The State official had no comments.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated November 21, 2003. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in

- 4 -

ADAMS should contact the NRC PDR Reference staff at 1-800-397-4209, or 301-415-4737, or send an e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 15th day of December 2003.

FOR THE NUCLEAR REGULATION COMMISSION

*/RA/*

Lawrence W. Rossbach, Project Manager  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation