

March 8, 2006

Mr. Christopher M. Crane, President  
and Chief Nuclear Officer  
Exelon Generation Company, LLC  
4300 Winfield Road  
Warrenville, IL 60555

SUBJECT: LASALLE COUNTY STATION, UNITS 1 AND 2, ISSUANCE OF AMENDMENTS  
RE: REVISION OF THE APPENDIX B, ENVIRONMENTAL PROTECTION  
PLAN (NON-RADIOLOGICAL) (TAC NOS. MC5463 AND MC5464)

Dear Mr. Crane:

The U.S. Nuclear Regulatory Commission (Commission) has issued the enclosed Amendment No. 176 to Facility Operating License No. NPF-11 and Amendment No. 162 to Facility Operating License No. NPF-18 for the LaSalle County Station, Units 1 and 2, respectively, in response to your application dated December 17, 2004. The amendments revise Appendix B, Environmental Protection Plan (non-radiological), of the LaSalle County Station Operating Licenses.

A copy of the Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

**/RA/**

Stephen P. Sands, Project Manager  
Plant Licensing Branch III-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-373 and 50-374

Enclosures: 1. Amendment No. 176 to NPF-11  
2. Amendment No. 162 to NPF-18  
3. Safety Evaluation

cc w/encls: See next page

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LaSalle County Station Units 1 and 2

- 2 -

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Stephen P. Sands, Project Manager  
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cc w/encls: See next page

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EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-373

LASALLE COUNTY STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 176  
License No. NPF-11

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment filed by the Exelon Generation Company, LLC (the licensee), dated December 17, 2004, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Environmental Protection Plan as indicated in the enclosure to this license amendment and paragraph 2.C.(2) of the Facility Operating License No. NPF-11 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 176 are hereby incorporated into this license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 60 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

Mindy S. Landau, Acting Chief  
Plant Licensing Branch III-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Environmental Protection Plan

Date of Issuance: March 8, 2006

EXELON GENERATION COMPANY, LLC

DOCKET NO. 50-374

LASALLE COUNTY STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 162  
License No. NPF-18

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment filed by the Exelon Generation Company, LLC (the licensee), dated December 17, 2004, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Environmental Protection Plan as indicated in the enclosure to this license amendment and paragraph 2.C.(2) of the Facility Operating License No. NPF-18 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 162 are hereby incorporated into this license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 60 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

Mindy S. Landau, Acting Chief  
Plant Licensing Branch III-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Environmental Protection Plan

Date of Issuance: March 8, 2006



ATTACHMENT TO LICENSE AMENDMENT NOS. 176 AND 162

FACILITY OPERATING LICENSE NOS. NPF-11 AND NPF-18

DOCKET NOS. 50-373 AND 50-374

Replace the following pages of the Appendix B Environmental Protection Plan with the enclosed pages. The revised pages are identified by an amendment number and contain marginal lines indicating the area of change.

Remove Pages

1-1  
2-2  
3-2  
3-3  
4-1  
4-2  
4-3  
4-4  
5-1  
5-2  
5-3  
5-4

Insert Pages

1-1  
2-2  
3-2  
3-3  
4-1  
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5-1  
5-2  
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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 176 TO FACILITY OPERATING LICENSE NO. NPF-11  
AND AMENDMENT NO. 162 TO FACILITY OPERATING LICENSE NO. NPF-18  
EXELON GENERATION COMPANY, LLC  
LASALLE COUNTY STATION, UNITS 1 AND 2  
DOCKET NOS. 50-373 AND 50-374

1.0 INTRODUCTION

By application dated December 17, 2004, Exelon Generation Company, LLC (EGC) and AmerGen Company, LLC (AmerGen), the licensees, requested changes to Appendix B, Environmental Protection Plan (EPP), for Braidwood Station, Units 1 and 2; Byron Station, Units 1 and 2; Clinton Power Station, Unit 1; LaSalle County Station, Units 1 and 2; Limerick Generating Station, Units 1 and 2; Oyster Creek Nuclear Generating Station; Peach Bottom Atomic Power Station, Units 2 and 3; and Quad Cities Nuclear Power Station, Units 1 and 2. This amendment addresses the licensee's proposed changes for LaSalle County Station, Units 1 and 2. Other amendments were issued to address the proposed changes for the other operating units.

The proposed changes revise the EPP for LaSalle County Station by clarifying a number of items without changing the purpose, by removing the requirement for an annual report, by updating terminology, by deleting obsolete program information, and by standardizing wording in the EPP.

2.0 REGULATORY EVALUATION

The EPP was established during initial plant operation to monitor environmental issues such as potential erosion along the transmission lines and the cooling tower drift impact on vegetation and noise, as well as cultural resources issues. The regulatory basis for the establishment of the EPP is Section 50.36b of Title 10 of the *Code of Federal Regulations* (10 CFR), "Environmental conditions." This section provides that a license may include conditions to protect the environment. The regulation states that the conditions will identify the "obligations of the licensee in the environmental area, including, as appropriate, requirements for reporting and keeping records of environmental data, and any conditions and monitoring requirement for the protection of the nonaquatic environment" and that the conditions will be derived from the licensee's environmental report and NRC's evaluation in the record of decision. However, in the March 12, 1984, statements of consideration for the final rule that created Section 50.36b, the Commission stated that NRC "may also include additional environmental conditions as appropriate."

### 3.0 TECHNICAL EVALUATION

#### Section 1.0 Objective of the Environmental Protection Plan

##### Requested Action

A change is proposed to remove references to facility construction from Section 1.0. This section contains the objectives of the EPP which is to provide for protection of the environmental values during construction and operation of the nuclear facility. Construction is complete at LaSalle County Station and therefore the reference to construction is deleted.

##### NRC Staff Analysis

The facility construction references were included to cover the impacts related to the latter stages of the construction of the plants. The associated activities were completed many years ago. Therefore, the NRC staff concludes that removal of these references is acceptable. The remaining text ensures that impacts related to current and future activities at the plants are considered under the EPPs. This administrative change is acceptable.

#### Section 2.1 Aquatic Issues

##### Requested Action

This section of the EPP references the Illinois Environmental Protection Agency as the issuer of the National Pollutant Discharge Elimination System (NPDES) Permit. The proposed change will standardize the issuer of the NPDES Permit to be the Federal or State permitting authority. The use of a more generic reference to the permitting authority will prevent future changes in the structure of the state governments from creating new inconsistencies.

##### NRC Staff Analysis

The proposed change is administrative in nature and corrects existing problems in the EPPs. The use of a more generic reference to the permitting authority will prevent future changes in the structure of the state governments from creating new inconsistencies. The NRC staff concludes that this change is acceptable.

#### Section 2.2 Terrestrial Issues

##### Requested Action

The proposed change in Section 2.2 is to clarify that the State Dam Permit addresses, and will regulate, the potential erosion effects around the cooling pond and the banks of Armstrong Run. This terrestrial issue was raised by the NRC in the Final Environmental Statement for the LaSalle County Station Operating License (FES-OL). The Dam Permit currently issued by the Illinois Department of Natural Resources addresses all regulatory requirements of the EPP. The NRC will rely on this State agency for regulation of these requirements.

##### NRC Staff Analysis

The NRC will rely on the current permitting state agency to address the regulatory requirements. Therefore, the NRC staff concludes that this change is acceptable.

### Section 3.1 Plant Design and Operation

#### Requested Action

The proposed change in Section 3.1, "Plant Design and Operation", is to delete the reference to the Annual Environmental Operating Report. With the deletion of the Annual Environmental Operating Report, a reference within this section is not required.

#### NRC Staff Analysis

The NRC staff's analysis and conclusion regarding the need for the annual report is discussed in the evaluation for Subsection 5.4.1. Without the annual report, the NRC staff will not receive summaries of the evaluations of changes by the licensees. However, these evaluations will be available for staff review at the plant. In addition, Section 3.1 will still require the licensees to obtain NRC staff approval for any changes that involve an unreviewed environmental question. Based on this, the staff concludes that the removal of the requirement for annual reporting of the licensees evaluations for unreviewed environmental questions is acceptable.

### Section 3.2 Reporting Related to the NPDES Permit and State Certification

#### Requested Action

The proposed changes in Section 3.2 are to revise the reporting requirements related to approval or changes to the NPDES Permit or State certification.

Currently, this section requires that changes and additions to the NPDES Permit or the State Certification shall be reported to the NRC. This section also requires that a proposed revision be sent to the NRC at the same time as it is submitted to the permitting agency. The NRC relies on the State regulatory agency to regulate these matters. Changes to the NPDES Permit or State Certification will continue to be provided to the NRC within 30 days of approval. Proposed changes will no longer be provided to the NRC. Information related to environmental permits will continue to be available onsite for NRC review.

An administrative change is incorporated to delete a portion of the first paragraph in this section that had been inadvertently duplicated.

#### NRC Staff Analysis

The EPPs require the licensees to provide the NRC staff with copies of proposed revisions to, or renewals of, the NPDES permits. However, the NRC staff does not have a role in determining the NPDES limits for the plants. This responsibility lies with the appropriate NPDES permitting authority. Therefore, requiring the licensees to submit proposed NPDES permit changes is of little value to the NRC staff. The paragraph that will remain in the EPP will still require the licensees to provide the NRC staff with copies of the approved revised permits. This requirement will allow the NRC staff to remain cognizant of those environmental impacts of

plant operations related to the permits. In addition, the EPP will continue to require the licensees to evaluate plant changes for unreviewed environmental questions. This requirement ensures that significant changes to the environmental impacts of plant operation will receive an NRC staff review that is independent of the NPDES review by the permitting authority. While the NRC staff will have no role in setting the limits in the NPDES permit, the staff will consider other impacts (e.g., to threatened and endangered aquatic species) that may not be included in the NPDES review. Based on this information, the staff concludes that the proposed changes are acceptable.

### Section 3.3 Changes Required for Compliance with Other Environmental Regulations

#### Requested Action

A change is proposed to replace the phrase "required to achieve compliance with" with the phrase "that are either regulated or mandated by." This section exempts those changes that are regulated or mandated by other Federal, State, and local environmental regulations from the requirements of Section 3.1. An additional sentence has been added to state, "However, if any environmental impacts of a change are not evaluated under other Federal, State or local environmental regulations, then those impacts are subject to the requirements of Section 3.1." This is an administrative change to improve clarity and understanding and does not change the objective of the original statement.

#### NRC Staff Analysis

The current Section 3.3 applies the exemption from Section 3.1 only to those changes, tests, or experiments that are required to achieve compliance with the regulations of various agencies. The revision expands this exemption to include environmental impacts that are evaluated by these various agencies. This change has the effect of focusing Section 3.1 on those environmental impacts that will not otherwise receive a review by a cognizant Federal, State, or local agency. Impacts that are the subject of the expansion of the exemption will still be evaluated, but by the appropriate cognizant agency. Therefore, the NRC staff concludes that this change is acceptable.

### Section 4.1 Unusual or Important Environmental Events

#### Requested Action

A change is proposed that if an event is reportable under 10 CFR 50.72, "Immediate notification requirements for operating nuclear power reactors," then a duplicate immediate report in accordance with the station's EPP is not required. Requirements are provided in the EPP to report Unusual or Important Environmental Events to the NRC within 24 hours. Unusual and Important Environmental Events are defined as any occurrence of an event that indicates or could result in significant environmental impact causally related to plant operation. Such events shall be recorded and reported to the NRC within 24 hours and followed by a written report.

Similarly, 10 CFR 50.72(b)(2)(xi) states that the licensee shall notify the NRC as soon as practical and in all cases, within four hours of the occurrence of "any event or situation, related to the health and safety of the public or onsite personnel, or protection of the environment, for which a news release is planned or notification to other government agencies has been or will be made." The proposed change will relieve the administrative burden of making duplicate reports to the NRC for the same event. Follow-up written reports will still be required to be submitted in accordance with the EPP.

The change to delete references to telephone, telegraph or facsimile brings the text of the EPPs into conformance with the present methods of reporting events to the NRC.

#### NRC Staff Analysis

The change is a clarification to avoid potential duplicate reporting requirements. At the time the EPPs were developed, there was no environmental reporting requirement in 10 CFR 50.72. Therefore, there was no issue of duplicate reporting. In the EPPs, specific methods of transmittal (e.g., By telephone, telegraph, or facsimile transmissions) are included. The proposed changes would delete these details. This change is administrative in nature, bringing the text of the EPPs into conformance with the present methods used to make immediate reports regarding events to the NRC. Based on this information, the NRC staff finds the proposed change acceptable.

#### Section 4.2 Environmental Monitoring

##### Requested Action

The proposed change will standardize the agencies outside the NRC that provide jurisdiction over the Environmental Monitoring programs to be the Federal or State permitting authority.

Environmental monitoring programs are conducted in accordance with the guidance and controls of agencies outside of the NRC. The NRC has recognized the Federal or State agencies as the authorities having jurisdiction in Section 2.0 of the EPP. Therefore, there is no specific NRC-required Environmental Monitoring in the EPP.

#### NRC Staff Analysis

The NRC staff concludes that the proposed change is administrative in nature and is acceptable.

#### Section 4.2.1 Vegetative Integrity on Cooling Pond Dike

##### Requested Action

A change is proposed to delete the entire Vegetative Integrity on Cooling Pond Dike, section in its entirety from the EPP.

The terrestrial issue raised by the NRC in the FES-OL was potential erosion effects along the

dike around the cooling lake and the banks of Armstrong Run. The vegetative integrity and erosion were assessed by visual inspection on the outer face of the peripheral cooling lake dike at the beginning of the spring and fall planting seasons.

A four-year quantitative dike re-vegetation study was completed and submitted to the NRC in 1981. Since then, the Annual Environmental Operating Reports submitted by LaSalle County Station for the years 1982 to present indicated no significant discrepancies with vegetative integrity or erosion of the cooling lake dikes and peripheral ditches discharging into Armstrong Run. Subsequent to the issuance of the Unit 1 and 2 Operating Licenses, the LaSalle County Station cooling lake dikes and peripheral ditches came under the purview of a State issued Dam Permit. Conditions specified in the permit along with the Illinois Department of Natural Resources (IDNR) guidelines provide detailed erosion controls, vegetation maintenance and inspection requirements that capture the requirements detailed in the current EPP. The Annual Dam Inspection Report is submitted to the State regulating authority and is available to the NRC for inspection and review.

Based on the studies and inspections performed, plus current permitting and regulations by a specific State agency, it is proposed that Section 4.2.1 be deleted in its entirety.

#### NRC Staff Analysis

Based on the studies and inspections performed by the licensee, in addition to the oversight by the current permitting state agency, the NRC staff concludes that this change is acceptable.

#### Section 5.2   Records Retention

##### Requested Action

A revision is proposed to revise the requirement of log retention and retention timeframe from for the life of the plant to until the date of termination of the operating license.

This section requires retention of records relative to the environmental aspects of plant operation and modifications determined to potentially affect the continued protection of the environment. An administrative requirement to maintain logs is deleted. The requirement to maintain all records is maintained. There are no dedicated environmental logs maintained on site. Logs relative to the environment are required to be documented by specific State permits (i.e., NPDES Permit) and EGC environmental administrative procedures. Such entries are maintained as part of station operating logs. The reference to environmental logs has been deleted for clarity but the purpose of the original statement is maintained.

The proposed change in the retention timeframe to the termination of the operating license makes the requirement consistent with similar requirements in other regulations (i.e., 10 CFR 50.59, Changes, tests, and experiments). This change has been proposed to provide clarity but does not change the objective of the requirement.

### NRC Staff Analysis

The proposed change regarding the types of records retained simplifies the EPPs by requiring the retention of records associated with the EPPs. The existing reference to data and logs refers to information that would have been collected under the now-completed monitoring programs. The change to the stated retention period makes the requirement consistent with other similar requirements in the NRC regulations (e.g., 10 CFR 50.59). The NRC staff concludes that these changes are acceptable.

### Section 5.4.1 Routine Reports

#### Requested Action

A change is proposed to delete the entire section relating to Routine Reports.

This section requires an annual environmental operating report be submitted to the NRC by May 1 of each year. The report includes summaries and analyses of the results of the monitoring requirements of Section 4.2, a list of EPP noncompliances and the corrective actions taken to remedy them, a list of all changes in the station design or operation, tests, and experiments made in accordance with Section 3.1 involving potentially significant unreviewed environmental questions, and a list of nonroutine reports submitted in accordance with Subsection 5.4.2.

As previously discussed in the evaluation of Section 4.2, Environmental Monitoring, with specific environmental monitoring under the conditions and regulations of the Dam Permit, it is proposed that Section 4.2.1, Vegetative Integrity on Cooling Pond Dike, be deleted. Environmental noncompliances are reported as required by 10 CFR 50.72, Immediate notification requirements for operating nuclear power reactors, and corrective actions will be included in the Exelon Corrective Action Program. Design changes are addressed by the EGC implementing procedures associated with 10 CFR 50.59 and Section 3.1 of this EPP. If an environmental evaluation indicates that an activity involves an unreviewed environmental question, or involves a change to the EPP, prior NRC approval must be obtained prior to implementation.

With the deletion of Section 4.2.1, and the remaining requirements addressed in 10 CFR 50.72, the EGC 10 CFR 50.59 Review Program and Environmental Evaluation Program, it is proposed that Section 5.4.1 be deleted in its entirety.

### NRC Staff Analysis

Monitoring programs are either completed, or are monitored by the cognizant State agency. Based on the existing requirements in NRC regulations, the NRC staff concludes that the annual report is not necessary and this requirement can be deleted.



## Section 5.4.2 Non-Routine Reports

### Requested Action

A change is proposed to Section 5.4.2 to revise a non-routine event to be an unusual or important environmental event.

Currently, this section requires written reports to be sent to the NRC within 30 days of occurrence of a nonroutine event. An administrative change is being made to clarify the objective of the section to refer to an unusual or important environmental event as described in Section 4.1 of Appendix B. This change is also for consistency with all other EGC and AmerGen stations.

### NRC Staff Analysis

The NRC staff has reviewed the EPPs and concludes that the intent of Subsection 5.4.2 was to require a written report for the events described in Subsection 4.1. Therefore, the NRC staff concludes that the proposed change is acceptable.

## 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Illinois State official was notified of the proposed issuance of the amendments. The State official had no comments.

## 5.0 ENVIRONMENTAL CONSIDERATION

The amendments change requirements with respect to record keeping, reporting, or administrative procedures or requirements with respect to the EPPs. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration and there has been no public comment on such finding (70 FR 19115).

## 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: A. Kugler  
C. Guerrero

Date: March 8, 2006