

Enclosure 1

REVISED PAGES OF FACILITY OPERATING LICENSE NO. NPF-62

DOCKET NO. 50-461

CLINTON POWER STATION, UNIT NO. 1

Replace the following pages of the Facility Operating License with the attached revised pages. The revised pages are identified by the date of the letter issuing these pages and contain marginal lines indicating the areas of change.

REMOVE

License NPF-62

Page 5

Page 6

Page 7

Page 8

INSERT

License NPF-62

Page 5

Page 6

Page 7

Page 8

License Transfer Conditions

- (10) Deleted.
- (11) Deleted.
- (12) Deleted.
- (13) Deleted.
- (14) AmerGen is required to provide decommissioning funding assurance of no less than \$210 million, after payment of any taxes, that will be deposited in the decommissioning trust fund for CPS at the time of CPS's transfer to AmerGen.
- (15) The decommissioning trust agreement for OPS must be in a form acceptable to the NRC.
- (16) With respect to the decommissioning trust fund, investments in the securities or other obligations of Exelon Corporation, AmerGen Energy Company, LLC or affiliates thereof, or their successors or assigns shall be prohibited. Except for investments tied to market indexes or other nonnuclear sector mutual funds, investments in any entity owning one or more nuclear power plants are prohibited.
- (17) The decommissioning trust agreement for CPS must provide that no disbursements or payments from the trust shall be made by the trustee until the trustee has first given the NRC 30 days prior written notice of payment. The decommissioning trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the Director, Office of Nuclear Reactor Regulation.
- (18) The decommissioning trust agreement must provide that the agreement cannot be amended in any material respect without the prior written consent of the Director, Office of Nuclear Reactor Regulation.
- (19) The appropriate section of the decommissioning trust agreement shall reflect that the trustee, investment advisor, or anyone else directing the investments made in the trust shall adhere to a "prudent investor " standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.

- (20) AmerGen Energy Company, LLC shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for approval of the transfer of the Clinton license to it and the requirements of the Order approving the transfer, and consistent with the safety evaluation supporting the Order.
- (21) AmerGen Energy Company, LLC shall take no action to cause Exelon Generation Company, LLC, (or successors or assigns of Exelon Generation Company, LLC approved by the NRC) to void, cancel; or diminish the \$200 million contingency commitment from Exelon Generation Company, LLC, (or successors or assigns of Exelon Generation Company, LLC approved by the NRC) dated December 22, 2003, or cause it to fail to perform or impair its performance under the commitment, or remove or interfere with AmerGen's ability to draw upon the commitment. Also, AmerGen Energy Company, LLC shall inform the NRC in writing at any time that it draws upon the \$200 million commitment.

(22) Mitigation Strategy License Condition

The licensee shall develop and maintain strategies for addressing large fires and explosions and that include the follow key areas:

- (a) Fire fighting response strategy with the following elements:
 - 1. Pre-defined coordinated fire response strategy and guidance
 - 2. Assessment of mutual aid fire fighting assets
 - 3. Designated staging areas for equipment and materials
 - 4. Command and control
 - 5. Training of response personnel
- (b) Operations to mitigate fuel damage considering the following:
 - 1. Protection and use of personnel assets
 - 2. Communications
 - 3. Minimizing fire spread
 - 4. Procedures for implementing integrated fire response strategy
 - 5. Identification of readily-available pre-staged equipment
 - 6. Training on integrated fire response strategy
 - 7. Spent fuel pool mitigation measures
- (c) Actions to minimize release to include consideration of:
 - 1. Water spray scrubbing
 - 2. Dose to onsite responders

- D. The facility requires exemptions from certain requirements of 10 CFR Part 50 and 10 CFR Part 70. These include: (a) an exemption from the requirements of 10 CFR 70.24 for the criticality alarm monitors around the fuel storage area; (b) an exemption from the requirement of 10 CFR Part 50, Appendix J - Option B, paragraph III.B, exempting the measured leakage rates from the main steam isolation valves from inclusion in the combined leak rate for local leak rate tests (Section 6.2.6 of SSER 6); and (c) an exemption from the requirements of paragraph III.B of Option B of 10 CFR Part 50, Appendix J, exempting leakage from the valve packing and the body-to-bonnet seal of valve 1E51-F374 associated with containment penetration 1MC-44 from inclusion in the combined leakage rate for penetrations and valves subject to Type B and C tests (SER supporting Amendment 62 to Facility Operating License No. NPF-62). The special circumstances regarding each exemption, except for item (a) above, are identified in the referenced section of the safety evaluation report and the supplements thereto.

An exemption was previously granted pursuant to 10 CFR 70.24. The exemption was granted with NRC Material License No. SNM-1886, issued November 27, 1985, and relieved the licensee from the requirement of having a criticality alarm system. AmerGen Energy Company, LLC is hereby exempted from the criticality alarm system provision of 10 CFR 70.24 so far as this section applies to the storage of fuel assemblies held under this license.

These exemptions are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security. The exemptions in items (b) and (c) above are granted pursuant to 10 CFR 50.12. With these exemptions, the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

- E. AmerGen Energy Company, LLC shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822), and the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans¹, which contain Safeguards Information protected under 10 CFR 73.21, is entitled: "Clinton Power Station Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Revision 2," submitted by letter dated May 17, 2006.
- F. AmerGen Energy Company, LLC shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report as amended, for the Clinton Power Station, Unit No. 1, and as approved in the Safety Evaluation Report (NUREG-0853) dated February 1982 and Supplement Nos. 1 thru 8 thereto subject to the following provision:

AmerGen Energy Company, LLC may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.
- G. Deleted.

Amendment No. 172
Revised by letter dated July 26, 2007

¹The Training and Qualification Plan and Safeguards Contingency Plan are Appendices to the Security Plan.