

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.

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

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.

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