

November 9, 2004

SAFEGUARDS INFORMATION

EA 04-184
EA 04-186

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

SUBJECT: ISSUANCE OF ORDERS FOR INTERIM SAFEGUARDS AND SECURITY
COMPENSATORY MEASURES AND FOR IMPLEMENTATION OF
ADDITIONAL SECURITY MEASURES ASSOCIATED WITH ACCESS
AUTHORIZATION FOR QUAD CITIES NUCLEAR POWER STATION

Dear Mr. Crane:

The U.S. Nuclear Regulatory Commission (NRC or the Commission) has issued the enclosed Orders (Enclosures 1 and 3) that modify the general license for your **proposed** independent spent fuel storage installation (ISFSI) to require compliance with the specified: interim safeguards and security compensatory measures (ICMs found in Enclosure 2), which is Attachment 1 to Enclosure 1; and additional security measures associated with access authorization (ASMs found in Enclosure 4), which is Attachment 1 to Enclosure 3. Enclosure 5 is an NRC Regulatory Information Summary regarding the NRC Threat Advisory and Protective Measures System for ISFSIs. Enclosures 2, 4, and 5 contain Safeguards Information (SGI).

The Commission has determined that additional security measures are required following the events of September 11, 2001, and has concluded that the security measures should be embodied in Orders, consistent with the established regulatory framework. Due to the current threat environment, the requirements of the enclosed Orders must be in place prior to first receipt of spent fuel and initial operations at your ISFSI.

These actions are interim and the basis for the Orders is the need to take prudent actions to address security requirements in the current threat environment. The Orders do not obviate

WARNING: Violation of Section 147 of the Atomic Energy Act, "Safeguards Information" is subject to Civil and Criminal Penalties.

NOTICE: Upon removal of Enclosures 2, 4, and 5 to the Letter, this document and the enclosed Orders (Enclosures 1 and 3) are DECONTROLLED.

SAFEGUARDS INFORMATION

SAFEGUARDS INFORMATION

C. Crane

-2-

the need for licensees to continue to meet and maintain the effectiveness of existing security measures taken in response to the events of September 11, 2001. The requirements will remain in effect until the Commission determines otherwise.

The enclosed Orders call for responses and actions within specified time frames. With respect to the notices and submission required by Sections III.B and III.C of the Orders, for any requirement of the ICMs or ASMs (SGI attachments to the Orders) that requires an analysis or is contingent upon completion of another requirement of the ICMs or ASMs, it will be a sufficient response if the licensee states in its 20-day submission:

- (1) that completion of the requirement is dependent upon completion of an analysis or other requirement;
- (2) the expected date of completion of the analysis or other requirement; and
- (3) that upon such completion, the licensee will promptly submit the results of such analysis or inform the NRC of the completion of the other requirement and the actions thereafter proposed with respect to the requirement at issue, as well as the projected date of completion.

If the licensee wishes to preserve its right to request a hearing on any requirement contingent upon completion of an analysis or other requirement, a request for an extension of time to request a hearing must be filed within 20 days of the date of these Orders in accordance with Section IV of the Orders. Such a request may seek a reasonable period of time to request a hearing beyond the date that the staff informs the licensee whether the actions proposed and completion date for the requirement(s), contingent upon an analysis or other requirement, are satisfactory.

Please contact Paul J. Kelley, Jr. at 301-415-6101 for the ICM Order or Brad Baxter at 301-415-6742 for the ASM Order on Access Authorization in the Office of Nuclear Security and Incident Response; or Cynthia Barr at 301-415-4015, of my staff, to facilitate resolution of any issues related to compliance with the requirements in the enclosed Orders, or if you have any other questions. The enclosed Orders have been forwarded to the Office of the Federal Register for publication.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its Enclosures 1 and 3, and your response should be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), typically accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. As of October 25, 2004, the NRC initiated an additional security review of publicly available documents to ensure that potentially sensitive information is removed from the ADAMS database accessible through the NRC's website. Interested members of the public should check the NRC's web pages for updates on the availability of documents through the ADAMS system. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your

SAFEGUARDS INFORMATION

SAFEGUARDS INFORMATION

C. Crane

-3-

response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwanted invasion of your personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If SGI is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

The material in Enclosures 2, 4, and 5 contains SGI as defined by 10 CFR 73.21, and its disclosure to unauthorized individuals is prohibited by Section 147 of the Atomic Energy Act of 1954, as amended. Therefore, the material will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Margaret V. Federline, Deputy Director
Office of Nuclear Material Safety
and Safeguards

Docket No: 72-53

Enclosures: 1. ICM Order
2. Attachment 1 to Enclosure 1--ICMs for Dry ISFSI (**SGI**)
3. ASM Order
4. Attachment 1 to Enclosure 3--ASMs for Dry ISFSI (**SGI**)
5. Regulatory Issue Summary 2002-12D (**SGI**)

cc: w/ Encls 1 and 3 only, see next page
Mr. Patrick Simpson, w/ SGI enclosures
Mr. Tim Toulon, w/ SGI enclosures

SAFEGUARDS INFORMATION

SAFEGUARDS INFORMATION

C. Crane

-3-

response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwanted invasion of your personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If SGI is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

The material in Enclosures 2, 4, and 5 contains SGI as defined by 10 CFR 73.21, and its disclosure to unauthorized individuals is prohibited by Section 147 of the Atomic Energy Act of 1954, as amended. Therefore, the material will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,
/RA/
Margaret V. Federline, Deputy Director
Office of Nuclear Material Safety
and Safeguards

Docket No: 72-53

- Enclosures:
1. ICM Order
 2. Attachment 1 to Enclosure 1--ICMs for Dry ISFSI (**SGI**)
 3. ASM Order
 4. Attachment 1 to Enclosure 3--ASMs for Dry ISFSI (**SGI**)
 5. Regulatory Issue Summary 2002-12D (**SGI**)

cc: w/ Encls 1 and 3 only, see next page
Mr. Patrick Simpson, w/ SGI enclosures
Mr. Tim Toulon, w/ SGI enclosures

DISTRIBUTION:

NRC File Center DNS r/f NSIR r/f SFPO r/f NMSS r/f JMonninger
OEWEB OEMAIL TMarsh, NRR WRuland, NRR LRossbach, NRR PKelley
RLandsman, RIII KO'Brien, RIII GSuh, RIII MRing, RIII CEvans, RII SSparks, RII
E:\Filenet\ML042790117.wpd
Adams Accession No. PKG ML042810096 Memo - ML042790117 *see previous concurrences

OFC:	SFPO	SFPO	OE	OGC	DD:DNS	D:DNS
NAME:	CBarr*	RLewis*	FCongel*	JGoldberg*	JShea*	GMTracy*
DATE:	10/04/04	10/07/04	10/22/04	10/12/04	10/ 27 /04	10/ 28 /04
OFC:	SFPO	D:SFPO	D:NMSS			
NAME:	LCamper*	EWBrach	MVFederline			
DATE:	10/28/04	11/ 05/04	11/ 09/04	11/ /04	11/ /04	11/ /04

C = COVER E = COVER & ENCLOSURE N = NO COPY OFFICIAL RECORD COPY

SAFEGUARDS INFORMATION

Quad Cities Nuclear Power Station Units 1 and 2

cc: (w/ Encls 1 and 3 only)

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 of Operations - Mid-West

Boiling Water Reactor
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 and Regulatory Affairs

Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

Associate General Counsel

Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

Manager Licensing - Dresden, Quad Cities and Clinton

Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555