



10 CFR 50.90

September 22, 2023

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

Peach Bottom Atomic Power Station, Unit 1  
Facility Operating [Possession Only] License No. DPR-12  
NRC Docket No. 50-171

Subject: License Amendment Request – Revise a License Condition and Certain  
Technical Specifications to Remove Restrictions in Support of  
Decommissioning Activities

In accordance with 10 CFR 50.90, "*Application for amendment of license, construction permit, or early site permit*," Constellation Energy Generation, LLC (CEG) requests an amendment to Facility Operating [Possession Only] License No. DPR-12 for Peach Bottom Atomic Power Station (PBAPS), Unit 1, to modify a License Condition and certain Technical Specifications (TS) to remove restrictions that currently limit decommissioning activities/efforts.

The proposed amendment would modify License Condition 2.C(1) and TS Sections 1.0, 2.1(b)1, 2.1(b)6, 2.3(b)1, and 2.3(b)2 to remove restrictions that currently preclude decommissioning activities/efforts without prior NRC approval. The proposed changes would amend the noted License Condition and TS to follow the Post-Shutdown Decommissioning Activities Report (PSDAR) process as governed by 10 CFR 50.82, "Termination of license," and the guidance stipulated in Regulatory Guide 1.185, "Standard Format and Content for Post-Shutdown Decommissioning Activities Report."

The purpose of the PSDAR is to provide the U.S. Nuclear Regulatory Commission (NRC) and the public with a general overview of the licensee's proposed decommissioning activities and to inform the NRC staff of the licensee's expected activities and schedule so that the staff can plan for inspections and make decisions about its oversight activities. The PSDAR is also a mechanism that informs the public of the proposed decommissioning activities before the conduct of those activities.

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Revise a License Condition and Certain Technical Specifications  
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CEG has concluded that the proposed changes present no significant hazards consideration under the standards set forth in 10 CFR 50.92.

The proposed changes have been reviewed by the PBAPS Plant Operations Review Committee in accordance with the requirements of the CEG Quality Assurance Program.

This amendment request contains no regulatory commitments.

Attachment 1 provides the evaluation of the proposed changes. Attachment 2 provides a copy of the mark-ups to the License Condition. Attachment 3 provides a copy of the mark-ups to the TS pages.

CEG requests approval of the proposed amendment by September 22, 2024, in order to further facilitate the decommissioning strategy for PBAPS, Unit 1. Upon NRC approval, the amendment shall be implemented within 60 days of issuance.

In accordance with 10 CFR 50.91, "*Notice for public comment; State consultation,*" paragraph (b), CEG is notifying the Commonwealth of Pennsylvania and State of Maryland of this request by transmitting a copy of this letter along with the Attachments to the designated State Officials.

Should you have any questions concerning this submittal, please contact Richard Gropp at 1- 267-533-5642.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 22nd day of September 2023.

Respectfully,



David P. Helker  
Sr. Manager, Licensing  
Constellation Energy Generation, LLC

Attachments:    1.   Evaluation of Proposed Changes  
                  2.   Mark-up of Proposed License Condition Page  
                  3.   Mark-up of Proposed Technical Specifications Pages

cc:    w/ Attachments  
      Regional Administrator - NRC Region I  
      NRC Senior Resident Inspector - PBAPS  
      NRC Project Manager, NMSS - PBAPS Unit 1  
      NRC Project Manager, NRR - PBAPS  
      W. DeHaas, Pennsylvania Bureau of Radiation Protection  
      S. Seaman, State of Maryland

# **ATTACHMENT 1**

## **License Amendment Request**

**Peach Bottom Atomic Power Station, Unit 1**

**Docket No. 50-171**

### **EVALUATION OF PROPOSED CHANGES**

**Subject: License Amendment Request – Revise a License Condition and Certain Technical Specifications to Remove Restrictions in Support of Decommissioning Activities**

#### **1.0 SUMMARY DESCRIPTION**

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## 1.0 SUMMARY DESCRIPTION

Pursuant to 10 CFR 50.90, "*Application for amendment of license, construction permit, or early site permit*," Constellation Energy Generation, LLC (CEG) requests an amendment to Facility Operating [Possession Only] License No. DPR-12 for Peach Bottom Atomic Power Station (PBAPS), Unit 1 to modify a License Condition and certain Technical Specifications (TS) to remove restrictions that currently limit decommissioning activities/efforts.

PBAPS, Unit 1 permanently ceased operations on October 31, 1974, and is presently in SAFSTOR. Decommissioning activities which resulted in the present facility status were completed in February 1978. The previous decommissioning activities entailed removal of all plant-generated radioactive material outside of an Exclusion Area. The Exclusion Area includes the Unit 1 containment building, fuel storage pool, and liquid waste system basement. All PBAPS, Unit 1 spent fuel was removed from the site and shipped to a DOE facility in Idaho. PBAPS, Unit 1 has been monitored and controlled in SAFSTOR in accordance with the Facility Operating License, Technical Specifications as amended, and Decommissioning Plan (reference letter dated May 15, 1975). For licensees that submitted a Decommissioning Plan prior to August 28, 1996, as is the case for PBAPS, Unit 1, the U.S. Nuclear Regulatory (NRC) considers the Decommissioning Plan and the associated environmental review to be the Post-Shutdown Decommissioning Activities Report (PSDAR).

The proposed changes would amend the applicable License Condition and TS to eliminate legacy restrictions and adopt requirements that more closely align with the current standards and guidance that govern decommissioning activities/efforts as specified in 10 CFR 50.82.

Attachment 2 of this submittal provides the proposed mark-ups for the License Condition page that highlight the proposed changes. Attachment 3 provides the proposed mark-up pages for the affected TS pages that highlight the proposed changes.

## 2.0 DETAILED DESCRIPTION

The proposed amendment modifies License Condition 2.C(1) and TS Sections 1.0, 2.1(b)1, 2.1(b)6, 2.3(b)1, and 2.3(b)2 to remove restrictions that currently preclude decommissioning activities/efforts without prior NRC approval. The proposed changes would amend the noted License Condition and TS to follow the PSDAR process as governed by 10 CFR 50.82, "Termination of license," and the guidance stipulated in Regulatory Guide 1.185, "Standard Format and Content for Post-Shutdown Decommissioning Activities Report." These proposed changes facilitate CEG's ability to move forward with the PBAPS, Unit 1, decommissioning strategy.

Currently, License Condition 2.C(1) stipulates the following:

- Current License Condition 2.C(1)

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C. This license shall be deemed to contain and be subject to the conditions specified in Part 20, Section 30.34 of Part 30, Section 50.59 of Part 50, 10 CFR Chapter I, and to all applicable provisions of the Act and to the rules, regulations, and orders of the NRC now or hereafter in effect and is subject to the additional conditions specified below:

(1) Constellation Energy Generation, LLC shall not dismantle or dispose of the facility without prior approval of the NRC.

(2) Technical Specifications

The Technical Specifications contained in Appendix A as revised through Amendment No. 17 are hereby incorporated in this license. The licensee shall maintain the facility in accordance with the Technical Specifications.

CEG proposes to modify the License Condition as described below to remove the restrictions that currently exist limiting the ability to further conduct decommissioning-related activities/efforts at PBAPS, Unit 1.

- Proposed License Condition 2.C(1)

C. This license shall be deemed to contain and be subject to the conditions specified in Part 20, Section 30.34 of Part 30, Section 50.59 of Part 50, 10 CFR Chapter I, and to all applicable provisions of the Act and to the rules, regulations, and orders of the NRC now or hereafter in effect and is subject to the additional conditions specified below:

(1) Constellation Energy Generation, LLC shall ~~not dismantle or dispose of the facility without prior approval of the NRC.~~

(2) Technical Specifications

The Technical Specifications contained in Appendix A as revised through Amendment No. 17 are hereby incorporated in this license. The licensee shall maintain the facility in accordance with the Technical Specifications.

maintain and control the facility in accordance with the Defueled Safety Analysis Report (DSAR) and Post-Shutdown Decommissioning Activities Report (PSDAR). The licensee may: 1) make changes to the facility or procedures as described in the DSAR or the PSDAR and, 2) conduct tests, or experiments not described in the DSAR or PSDAR, without prior NRC approval, provided the requirements of 10 CFR 50.59 and 10 CFR 50.82(a)(6) and (7) are satisfied.

In addition, CEG proposes to modify TS Sections 1.0, 2.1(b)1, 2.1(b)6, 2.3(b)1, and 2.3(b)2 to remove the TS restrictions that currently preclude decommissioning activities/efforts without first obtaining prior NRC approval. The proposed changes to the affected TS sections are listed below depicting the highlighted proposed changes.

- TS Section 1.0

1.0 LOCATION AND SITE

The Peach Bottom Atomic Power Station (PBAPS) Unit No. 1 is located in Peach Bottom Township, Pennsylvania, in the western shore of the Conowingo Pond at the mouth of Rock Run Creek on a site owned by Constellation Energy Generation, LLC. ~~These Technical Specifications apply to PBAPS Unit No.1. The PBAPS Unit No. 1 Containment Building, Spent Fuel Pool Building, and Radwaste Building shall be secured in accordance with the PBAPS Security Plan and controlled in accordance with the PBAPS Radiological Protection Program. These Technical Specifications apply to the PBAPS Unit No. 1 Exclusion Area. The Exclusion Area shall consist of an area within the PBAPS which is enclosed within locked barriers, and contains the Containment Vessel, Spent Fuel Pool Building and Radwaste Building. The only activity carried on within the Exclusion Area shall be routine and emergency inspections and maintenance associated with the possession of the decommissioned PBAPS Unit No. 1.~~ Peach Bottom Atomic Power Station, Units 2 and 3 are also located on the site.

- TS Section 2.1(b)1

2.0 ADMINISTRATIVE AND PROCEDURAL SAFEGUARDS

2.1 Administrative Organizations and Controls

(a) Plant Manager

The Peach Bottom Plant Manager shall have the responsibility for administration of all Unit No. 1 functions.

(b) Controls

1. ~~The approved Post-Shutdown Decommissioning Activities Report (PSDAR) supplements the Defueled Safety Analysis Report (DSAR) and the licensee may (i) make changes in the facility or procedures as described in the DSAR or the PSDAR and (ii) conduct tests, or experiments not described in the DSAR or PSDAR, without prior NRC approval, provided the requirements of 10 CFR 50.59 and 10 CFR 50.82(a)(6) and (7) are satisfied. Except when opened to provide egress for inspections, surveys and repairs, the following exclusion area barriers shall be maintained locked:~~

~~i – viii. Deleted The gate in the Exclusion Area fence located outside the containment personnel access lock at Elevation 116' -0".~~

~~ii. The gate in the Exclusion Area fence located outside the Spent Fuel Pool Area personnel access door at Elevation 116' -0".~~

- TS Section 2.1(b)6



3. Deleted
  4. Security of the facility shall be included as a part of the Peach Bottom Atomic Power Station security plan.
  5. In the event of a Probable Maximum Flood, the personnel access door at elevation 116'-0" shall be opened in accordance with the Peach Bottom Atomic Power Station Units 2 and 3 flood procedures.
  6. ~~Deleted If entry and/or work in the controlled area of the containment should be necessary, radiation level and airborne activity surveys shall be performed prior to beginning work and all work shall be performed under controls, as appropriate, to minimize the radiation exposure of personnel and to prevent the release of radioactivity to the environment.~~
  7. All radiation surveys, tests, counting work and radioactive effluent controls, and radiation exposure control measures shall be performed in accordance with written instructions and procedures that conform with the requirements of the Peach Bottom Atomic Power Station Units 2 and 3 radiation control procedures.
- TS Section 2.3(b)1 and 2.3(b)2

#### 2.3 Periodic Inspections

The following inspections of the Unit No. 1 facility shall be performed by personnel knowledgeable in nuclear radiation monitoring and with the radiological hazards associated with Unit No. 1. Records of these inspections shall be maintained on file.

(a) Deleted

(b) Semi-Annual Inspection

1. ~~Deleted Conduct an inspection of exclusion area barriers to ensure that the integrity of the barrier, and their locking apparatus are intact.~~
2. Conduct a radiological survey of the accessible areas of the **containment building, spent fuel pool building, and radwaste building** ~~exclusion area~~. The survey shall include radiation levels and surface contamination as well as air particulate activity.

Further justification associated with the proposed changes is provided in Section 3.0, "Technical Evaluation," below.

### 3.0 TECHNICAL EVALUATION

The proposed changes modify License Condition 2.C(1) and TS 1.0, 2.1(b)1, 2.1(b)6, 2.3(b)1, and 2.3(b)2 to revise legacy restrictions in the noted License Condition and TS and establish provisions consistent with the Post-Shutdown Decommissioning Activities Report (PSDAR) process as governed by 10 CFR 50.82, "Termination of license," and the guidance stipulated in Regulatory Guide (RG) 1.185, "Standard Format and Content for Post-Shutdown Decommissioning Activities Report," to support the PBAPS, Unit 1 decommissioning strategy.

The purpose of the PSDAR is to provide the U.S. Nuclear Regulatory Commission (NRC) and the public with a general overview of the licensee's proposed decommissioning activities and to

inform the NRC staff of the licensee's expected activities and schedule so that the NRC can plan for inspections and make decisions about its oversight activities. The PSDAR is also a mechanism that informs the public of the proposed decommissioning activities before the conduct of those activities.

As defined in 10 CFR 50.2, "decommission" means to remove a facility or site safely from service and reduce residual radioactivity to a level that permits either:

- (1) Release of the property for unrestricted use and termination of the license; or
- (2) Release of the property under restricted conditions and termination of the license.

For licensees that submitted a decommissioning plan prior to August 28, 1996, as is the case for PBAPS, Unit 1, the NRC considers the Decommissioning Plan and the associated environmental review to be the PSDAR submittal (i.e., as noted under 10 CFR 50.82, "Termination of License"). Decommissioning plans normally contain sufficient information to satisfy the requirements of the PSDAR. Licensees that have an approved Decommissioning Plan must submit an update for activities not contemplated in the Decommissioning Plan to comply with 10 CFR 50.82(a)(7). The NRC has encouraged licensees to replace legacy Decommissioning Plans, which was updated for PBAPS, Unit 1 (reference letter dated May 15, 1975), with a PSDAR update that uses the format and content as specified in RG 1.185. As such, the updated PSDAR must contain a description of the planned decommissioning activities along with a schedule for their accomplishment, a discussion that provides the reasons for concluding that the environmental impacts associated with site-specific decommissioning activities will be bounded by appropriate previously issued environmental impact statements, and a site-specific Decommissioning Cost Estimate (DCE), including the projected cost of managing irradiated fuel.

Since PBAPS, Unit 1, currently has a Decommissioning Plan/PSDAR, an updated PSDAR will be submitted after approval of this licensing action and utilized as the process to describe and control the associated decommissioning strategy. During this interim period, PBAPS, Unit 1, will continue to be maintained in the current SAFSTOR condition. Any changes that may be necessary to support decommissioning will continue to be evaluated in accordance with the requirements of 10 CFR 50.82.

The Exclusion Area described in the Decommissioning Plan for PBAPS, Unit 1, was established to ensure specific plant areas are physically controlled via locked barriers to limit unauthorized access into the areas. The proposed changes to the TS replace the TS specified locked barriers with programmatic controls of the radiological buildings, Containment Building, Spent Fuel Pool Building, and Radwaste Building, in accordance with the governing Physical Security Plan and Radiological Protection Program to ensure access is limited to authorized personnel only.

Any changes to the Defueled Safety Analysis Report (DSAR) that may be necessary to support this licensing action will continue to be evaluated in accordance with the requirements of 10 CFR 50.59 and reflected in the DSAR as updated in accordance with the requirements of 10 CFR 50.71(e). The proposed changes to the noted License Condition and TS require prior NRC approval and are considered necessary since they restrict the ability to transition to an updated PSDAR as described in RG 1.185 to support future decommissioning activities.



## **4.0 REGULATORY EVALUATION**

### **4.1 Applicable Regulatory Requirements/Criteria**

- 10 CFR 50.82, "Termination of license"

For power reactor licensees who, before the effective date of this rule, either submitted a decommissioning plan for approval or possess an approved decommissioning plan, the plan is considered to be the PSDAR submittal required under paragraph (a)(4) of this section and the provisions of this section apply accordingly....

- Regulatory Guide 1.184, "Decommissioning of Nuclear Power Reactors"

This regulatory guide, in conjunction with others, describes methods and procedures that are acceptable to the NRC for implementing the requirements of the 1996 rulemaking clarifying the regulations for decommissioning nuclear power facilities relating to the initial activities and the major phases of the decommissioning process.

- Regulatory Guide 1.185, "Standard Format and Content for Post-Shutdown Decommissioning Activities Report"

This regulatory guide identifies the type of information that the post-shutdown decommissioning activities report (PSDAR) must contain and establishes a standard format for the PSDAR that the U.S. Nuclear Regulatory Commission (NRC) staff considers acceptable. The purpose of the PSDAR is to provide the NRC and the public with a general overview of the licensee's proposed decommissioning activities and to inform the NRC staff of the licensee's expected activities and schedule so that the staff can plan for inspections and make decisions about its oversight activities. The PSDAR is also a mechanism that informs the public of the proposed decommissioning activities before the conduct of those activities.

### **4.2 Precedent**

There was no specific precedent identified related to the proposed changes for PBAPS, Unit 1; however, other licensees' facilities that have permanently ceased operations and are in the process of decommissioning established provisions to comply with 10 CFR 50.82 requirements.

### **4.3 No Significant Hazards Consideration**

In accordance with 10 CFR 50.90, "*Application for amendment of license, construction permit, or early site permit,*" Constellation Energy Generation, LLC (CEG), proposes changes to a License Condition and certain Technical Specifications (TS) of the Facility Operating [Possession Only] License No. DPR-12 for Peach Bottom Atomic Power Station (PBAPS), Unit 1.

The proposed amendment would modify License Condition 2.C(1) and TS Sections 1.0, 2.1(b)1, 2.1(b)6, 2.3(b)1, and 2.3(b)2 to remove restrictions that currently preclude decommissioning activities/efforts without prior NRC approval. The proposed changes would amend the noted License Condition and TS to follow the Post-Shutdown Decommissioning Activities Report (PSDAR) process as governed by 10 CFR 50.82, "Termination of license," and the guidance stipulated in Regulatory Guide 1.185, "Standard Format and Content for Post-Shutdown Decommissioning Activities Report."

PBAPS, Unit 1 permanently ceased operations on October 31, 1974, and is presently in SAFSTOR. Decommissioning activities which resulted in the present facility status were completed in February 1978. The previous decommissioning activities entailed removal of all plant-generated radioactive material outside of an Exclusion Area. The Exclusion Area includes the Unit 1 containment building, fuel storage pool, and liquid waste system basement. All PBAPS, Unit 1 spent fuel was removed from the site and shipped to a U.S. Department of Energy (DOE) facility in Idaho. PBAPS, Unit 1 has been monitored and controlled in SAFSTOR in accordance with the Facility [Possession Only] Operating License, Technical Specifications as amended, and Decommissioning Plan.

CEG has evaluated the proposed changes, using the criteria in 10 CFR 50.92, "*Issuance of amendment*," and has determined that the proposed changes do not involve a significant hazards consideration. The following information is provided to support a finding of no significant hazards consideration.

**1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?**

Response: No

The proposed changes would modify License Condition 2.C(1) and TS Sections 1.0, 2.1(b)1, 2.1(b)6, 2.3(b)1, and 2.3(b)2 to remove current restrictions that preclude decommissioning activities/efforts without prior NRC approval. The proposed changes would eliminate legacy restrictions that currently exist in the noted License Condition and TS and revise the documents to more closely align with the current requirements and standards that govern decommissioning under 10 CFR 50.82.

PBAPS, Unit 1 is permanently shut down and in a SAFSTOR condition and all fuel was removed from the facility and shipped to an offsite U.S. Department of Energy (DOE) location in Idaho. Since PBAPS, Unit 1 is in SAFSTOR with all fuel removed, those accidents (i.e., Design Basis Accidents) and other accident transients that would need to be considered for operating plants no longer apply. The proposed changes do not make any physical changes to facility Structures, Systems, or Components (SSC); therefore, the proposed changes have no adverse effect on maintaining the facility. The facility remains as described and analyzed in the Defueled Safety Analysis Report (DSAR).

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

**2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?**

Response: No

The proposed changes would modify License Condition 2.C(1) and TS Sections 1.0, 2.1(b)1, 2.1(b)6, 2.3(b)1, and 2.3(b)2 to remove current restrictions that preclude decommissioning activities/efforts without prior NRC approval. The proposed changes would eliminate legacy restrictions that currently exist in the noted License Condition and TS and revise the description to more closely align with the current requirements and standards that govern decommissioning under 10 CFR 50.82.

PBAPS, Unit 1 is permanently shut down and in a SAFSTOR condition and all fuel was removed from the facility and shipped to an offsite DOE location in Idaho. The facility will remain as described and analyzed in the DSAR. Those accidents (i.e., Design Basis Accidents and other transients) evaluated for operating plants no longer apply for PBAPS, Unit 1. The proposed changes do not alter the plant configuration (i.e., no new or different type of equipment is being installed) or require any changes in how the facility is currently being maintained. The proposed changes do not make any physical changes to facility Structures, Systems, and Components (SSCs). The proposed changes will continue to assure that the facility is maintained to control the potential release of any radioactive material.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

**3. Does the proposed change involve a significant reduction in a margin of safety?**

Response: No

The proposed changes would modify License Condition 2.C(1) and TS Sections 1.0, 2.1(b)1, 2.1(b)6, 2.3(b)1, and 2.3(b)2 to remove current restrictions that preclude decommissioning activities/efforts without prior NRC approval. The proposed changes would eliminate legacy restrictions that currently exist in the noted License Condition and TS and revise the description to more closely align with the current requirements and standards that govern decommissioning under 10 CFR 50.82.

PBAPS, Unit 1 is permanently shut down and in a SAFSTOR condition and all fuel was removed from the facility and shipped to an offsite DOE location in Idaho. The facility will remain as described and analyzed in the DSAR. Since PBAPS,

Unit 1 is in SAFSTOR with all fuel removed, those accidents (i.e., Design Basis Accidents) and other accident transients that would require evaluation for operating plants no longer apply.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

Based on the above evaluation, CEG concludes that the proposed amendment presents no significant hazards consideration under the standards set forth in 10 CFR 50.92, paragraph (c), and accordingly, a finding of "no significant hazards consideration" is justified.

#### **4.4 Conclusions**

In conclusion, based on the considerations discussed above: 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 amendment will not be inimical to the common defense and security or the health and safety of the public.

#### **5.0 ENVIRONMENTAL CONSIDERATION**

PBAPS, Unit 1 is currently in SAFSTOR and all fuel has been removed from the site. CEG has determined that the proposed amendment would not change a requirement with respect to installation or use of a facility component located within the restricted area, as defined in 10 CFR 20, "Standards for Protection Against Radiation." Therefore, the proposed amendment does not involve: (i) a significant hazards consideration, (ii) a significant change in the types or significant increase in the amounts of any effluent that may be released offsite, or (iii) a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the proposed amendment meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22, "Criterion for categorical exclusion; identification of licensing and regulatory actions eligible for categorical exclusion or otherwise not requiring environmental review," paragraph (c)(9). Therefore, pursuant to 10 CFR 51.22, paragraph (b), no environmental impact statement or environmental assessment needs to be prepared in connection with the proposed amendment.

#### **6.0 REFERENCES**

- 10 CFR 50.82, "Termination of license"
- Regulatory Guide 1.185, "Standard Format and Content for Post-Shutdown Decommissioning Activities Report"
- Regulatory Guide 1.184, "Decommissioning of Nuclear Power Reactors"
- Philadelphia Electric Company letter to the U.S. Nuclear Regulatory Commission – "Revisions to Decommissioning Plan and Safety Analysis Report," dated May 15, 1975

**ATTACHMENT 2**

**License Amendment Request**

**Peach Bottom Atomic Power Station, Unit 1**

**Docket No. 50-171**

**License Amendment Request – Revise a License Condition and Certain Technical Specifications to Remove Restrictions in Support of Decommissioning Activities**

**Mark-up of Proposed License Condition Page**

**Unit 1 – License Page**

- H. The possession and storage of byproduct material as authorized by this amended license will be in accordance with NRC regulations in 10 CFR Part 30, including 10 CFR Section 30.33.
2. Accordingly, the license is amended by changes to License No. DPR-12 and the Technical Specifications as indicated in the attachment to this license amendment and Facility Operating License No. DPR-12 is hereby amended to read as follows:
- A. This amended license applies to the Peach Bottom Atomic Power Station, Unit 1, a permanently shutdown, high temperature, gas cooled, demonstration power reactor, and associated equipment (the facility) owned by Constellation Energy Generation, LLC. The facility is located at the licensee's site in York County, Pennsylvania, and is described in the application dated May 21, 2002.
- B. Subject to the conditions and the requirements incorporated herein, the NRC hereby licenses Constellation Energy Generation, LLC:
- (1) Pursuant to Section 104(b) of the Act and 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities" to possess but not operate the facility.
  - (2) Pursuant to the Act and 10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material" to possess, but not to separate, such byproduct material as may have been produced by operation of the facility.
- C. This license shall be deemed to contain and be subject to the conditions specified in Part 20, Section 30.34 of Part 30, Section 50.59 of Part 50, 10 CFR Chapter I, and to all applicable provisions of the Act and to the rules, regulations, and orders of the NRC now or hereafter in effect and is subject to the additional conditions specified below:
- (1) Constellation Energy Generation, LLC shall ~~not dismantle or dispose of the facility without prior approval of the NRC.~~
  - (2) Technical Specifications  
The Technical Specifications contained in Appendix A as revised through Amendment No. 17 are hereby incorporated in this license. The licensee shall maintain the facility in accordance with the Technical Specifications.

maintain and control the facility in accordance with the Defueled Safety Analysis Report (DSAR) and Post-Shutdown Decommissioning Activities Report (PSDAR). The licensee may: 1) make changes to the facility or procedures as described in the DSAR or the PSDAR and, 2) conduct tests, or experiments not described in the DSAR or PSDAR, without prior NRC approval, provided the requirements of 10 CFR 50.59 and 10 CFR 50.82(a)(6) and (7) are satisfied.



**ATTACHMENT 3**

**License Amendment Request**

**Peach Bottom Atomic Power Station, Unit 1**

**Docket No. 50-171**

**License Amendment Request – Revise a License Condition and Certain Technical Specifications to Remove Restrictions in Support of Decommissioning Activities**

**Mark-up of Proposed Technical Specifications Pages**

**Unit 1**

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APPENDIX A  
to  
License No. DPR-12

TECHNICAL SPECIFICATIONS  
for  
Peach Bottom Atomic Power Station  
Unit No. 1

1.0 LOCATION AND SITE

The Peach Bottom Atomic Power Station (PBAPS) Unit No. 1 is located in Peach Bottom Township, Pennsylvania, in the western shore of the Conowingo Pond at the mouth of Rock Run Creek on a site owned by Constellation Energy Generation, LLC. ~~These Technical Specifications apply to PBAPS Unit No.1. The PBAPS Unit No. 1 Containment Building, Spent Fuel Pool Building, and Radwaste Building shall be secured in accordance with the PBAPS Security Plan and controlled in accordance with the PBAPS Radiological Protection Program. These Technical Specifications apply to the PBAPS Unit No. 1 Exclusion Area. The Exclusion Area shall consist of an area within the PBAPS which is enclosed within locked barriers, and contains the Containment Vessel, Spent Fuel Pool Building and Radwaste Building. The only activity carried on within the Exclusion Area shall be routine and emergency inspections and maintenance associated with the possession of the decommissioned PBAPS Unit No. 1.~~ Peach Bottom Atomic Power Station, Units 2 and 3 are also located on the site.

2.0 ADMINISTRATIVE AND PROCEDURAL SAFEGUARDS

2.1 Administrative Organizations and Controls

(a) Plant Manager

The Peach Bottom Plant Manager shall have the responsibility for administration of all Unit No. 1 functions.

(b) Controls

1. ~~The approved Post-Shutdown Decommissioning Activities Report (PSDAR) supplements the Defueled Safety Analysis Report (DSAR) and the licensee may (i) make changes in the facility or procedures as described in the DSAR or the PSDAR and (ii) conduct tests, or experiments not described in the DSAR or PSDAR, without prior NRC approval, provided the requirements of 10 CFR 50.59 and 10 CFR 50.82(a)(6) and (7) are satisfied. Except when opened to provide egress for inspections, surveys and repairs, the following exclusion area barriers shall be maintained locked:~~
  - i – viii. ~~Deleted~~ The gate in the Exclusion Area fence located outside the containment personnel access lock at Elevation 116' -0".
  - ii. The gate in the Exclusion Area fence located outside the Spent Fuel Pool Area personnel access door at Elevation 116' -0".

- ~~iii. The gate in the Exclusion Area fence located outside the containment personnel access lock on Elevation 176' -6".~~
- ~~iv. Containment personnel access lock at Elevation 116' -0".~~

- v. Containment personnel access lock at Elevation 176'-6".
  - vi. Grating over southwest stairway leading from refueling floor of Containment to Containment lower levels.
  - vii. Personnel door into Spent Fuel Pool Area at Elevation 116'-0".
  - viii. Radwaste Room personnel door at Elevation 104'-0".
2. Employees of the Peach Bottom Atomic Power Station shall report to the Peach Bottom Plant Manager or his designated representative any observed indication of change in facility status as shown by smoke, fire, tornado, flood or attempted break-in and take any immediate action authorized.
  3. Deleted
  4. Security of the facility shall be included as a part of the Peach Bottom Atomic Power Station security plan.
  5. In the event of a Probable Maximum Flood, the personnel access door at elevation 116'-0" shall be opened in accordance with the Peach Bottom Atomic Power Station Units 2 and 3 flood procedures.
  6. ~~Deleted If entry and/or work in the controlled area of the containment should be necessary, radiation level and airborne activity surveys shall be performed prior to beginning work and all work shall be performed under controls, as appropriate, to minimize the radiation exposure of personnel and to prevent the release of radioactivity to the environment.~~
  7. All radiation surveys, tests, counting work and radioactive effluent controls, and radiation exposure control measures shall be performed in accordance with written instructions and procedures that conform with the requirements of the Peach Bottom Atomic Power Station Units 2 and 3 radiation control procedures.

## 8. Effluent Release Limits

i. Liquid Effluents

Radioactive waste discharges to offsite locations shall not exceed the limits given in 10 CFR 20.1001-20.2402, Appendix B, Table 2, Column 2, on an instantaneous basis.

ii. Gaseous Effluents

Gaseous effluents shall not result in offsite ground level concentrations exceeding the limits given in 10 CFR 20.1001-20.2402, Appendix B, Table 2, Column 1, on an instantaneous basis.

## 9. Water Intrusion Limits

Water accumulation in the containment sump shall be limited to 500 gallons.

## 2.2 Records

Licensee shall keep logs and records in sufficient scope and detail to establish that the facility is being maintained within the limitations of the Part 50 Facility Operating License. The following items shall be recorded:

- (a) Results of periodic inspections
- (b) Records required by 10 CFR 50.75(g)
- (c) Reportable events

## 2.3 Periodic Inspections

The following inspections of the Unit No. 1 facility shall be performed by personnel knowledgeable in nuclear radiation monitoring and with the radiological hazards associated with Unit No. 1. Records of these inspections shall be maintained on file.

- (a) Deleted
- (b) Semi-Annual Inspection
  - 1. ~~Deleted Conduct an inspection of exclusion area barriers to ensure that the integrity of the barrier, and their locking apparatus are intact.~~
  - 2. Conduct a radiological survey of the accessible areas of the **containment building, spent fuel pool building, and radwaste building** ~~exclusion area~~. The survey shall include radiation levels and surface contamination as well as air particulate activity.