

December 29, 2014

MEMORANDUM TO: Benjamin G. Beasley, Chief
Plant Licensing Branch I-1 (LPL1-1)
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

FROM: Doug Huyck, Chief **/RA/**
Reactor Security Licensing Branch
Division of Security Policy
Office of Nuclear Security and Incident Response

SUBJECT: REQUEST FOR LICENSE AMENDMENT FOR SECTION 161A
PREEMPTION AUTHORITY - DRAFT SAFETY EVALUATIONS FOR
CALVERT CLIFFS NUCLEAR POWER PLANT AND INDEPENDENT
SPENT FUEL STORAGE INSTALLATION

By application dated August 14, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13228A265), as supplemented by letter dated October 3, 2013 (ADAMS Accession No. ML13280A271), Constellation Energy Nuclear Group, LLC, (CENG or licensee), and letter dated May 14, 2014 (ADAMS Accession No. ML14139A342), (Exelon Generation or licensee), submitted a request for amendment to the Calvert Cliffs Nuclear Power Plant, Unit 1, Unit 2 (CCNPP), and the Calvert Cliffs specific-license Independent Spent Fuel Storage Installation (CCNPP-ISFSI) operating licenses.

Specifically, Exelon Generating has applied, on behalf of CCNPP and CCNPP-ISFSI for Commission authorization to use the provisions of Section 161A of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2201a), at the CCNPP and CCNPP-ISFSI facilities as specified in Commission Order EA-13-092, dated June 5, 2013 (ADAMS Accession No. ML13121A459).

The Office of Nuclear Security and Incident Response, Division of Security Policy, Reactor Security and Licensing Branch (RSLB), conducted a comprehensive technical review of the CCNPP and CCNPP-ISFSI application in accordance with the Six-Step process approved by the Commission in SRM-SECY-12-0125, dated November 21, 2012 (ADAMS Accession No. ML12164A839). Specifically, this action satisfies Step 4 of the Commission approved Six-Step process.

In performing and documenting the required technical reviews, the RSLB technical reviewer followed the guidance provided in the Office of Nuclear Reactor Regulation (NRR) Office Procedure LIC-101 to inform the format and content of the enclosed Draft Safety Evaluation.

CONTACT: D. Gordon, NSIR/DSP
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The RSLB technical review staff followed the review criteria specified in Step 4 of the Commission approved process and documented the results, as appropriate, in the enclosed Draft Safety Evaluation.

Based on the findings and conclusions described in the enclosed NSIR input to the required Safety Evaluations for CCNPP and CCNPP-ISFSI, the RSLB technical staff recommends that the Commission grant Section 161A preemption authorization to these two Commission-designated facilities through the issuance of a Confirmatory Order as outlined in Step 5 of the Commission approved Six-Step process, as specified in SRM-SECY-12-0125.

Consequently, the RSLB staff requests that NRR staff take the actions required to finalize the enclosed Safety Evaluation; issue a Draft Confirmatory Order to the CCNPP and CCNPP-ISFSI facilities; gain the licensee Waiver of Hearing Rights; and provide all final licensing documentation needed to support the successful completion of W201200098, SRM-SECY-12-0027 Tasking No. 2, by the assigned due date of March 31, 2015. To meet the March 31, 2015 due date, it is recommended that NRR complete the actions required to obtain each licensee's waiver of hearing rights no later than the week of January 19, 2015, to ensure adequate time for completion of the SECY-Paper concurrence process prior to the March 31, 2015, due date.

Enclosure:

Safety Evaluation – Calvert Cliffs
Nuclear Power Plant and the Calvert
Cliffs Nuclear Power Plant
specific-license Independent Spent
Fuel Storage Installation

The RSLB technical review staff followed the review criteria specified in Step 4 of the Commission approved process and documented the results, as appropriate, in the enclosed Draft Safety Evaluation.

Based on the findings and conclusions described in the enclosed NSIR input to the required Safety Evaluations for CCNPP and CCNPP-ISFSI, the RSLB technical staff recommends that the Commission grant Section 161A preemption authorization to these two Commission-designated facilities through the issuance of a Confirmatory Order as outlined in Step 5 of the Commission approved Six-Step process, as specified in SRM-SECY-12-0125.

Consequently, the RSLB staff requests that NRR staff take the actions required to finalize the enclosed Safety Evaluation; issue a Draft Confirmatory Order to the CCNPP and CCNPP-ISFSI facilities; gain the licensee Waiver of Hearing Rights; and provide all final licensing documentation needed to support the successful completion of W201200098, SRM-SECY-12-0027 Tasking No. 2, by the assigned due date of March 31, 2015. To meet the March 31, 2015 due date, it is recommended that NRR complete the actions required to obtain each licensee's waiver of hearing rights no later than the week of January 19, 2015, to ensure adequate time for completion of the SECY-Paper concurrence process prior to the March 31, 2015, due date.

Enclosure:

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Safety Evaluation – Calvert Cliffs
Nuclear Power Plant and the Calvert
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specific-license Independent Spent
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DISTRIBUTION:

DSP r/f

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ADAMS Accession No.: ML14363A045, Pkg. ML14363A048

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