



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 16, 2017

Scott P. Murray, Manager
Facility Licensing
GE Hitachi Nuclear Energy
3901 Castle Hayne Road
P.O. Box 780
Wilmington, NC 28402

SUBJECT: GE HITACHI EXEMPTION REQUEST FOR ALTERNATE DECOMMISSIONING SCHEDULES FOR LICENSES DPR-1, DR-10 AND TR-1 AT THE VALLECITOS NUCLEAR CENTER (CAC NO. L53101)

Dear Mr. Murray:

By letter dated July 10, 2015, and supplemented by letters dated October 15, 2015, and July 15, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession Nos. ML15195A088, ML15288A390, and ML16197A277 respectively), GE Hitachi Nuclear Energy (GEH) submitted a request for alternate decommissioning schedules for licenses DPR-1 (VBWR), DR-10 (EVESR), and TR-1 (GETR) at the GEH Vallecitos Nuclear Center (VNC). The July 10, 2015 request, and its supporting October 15, 2015 letter, was in the form of a request for an exemption from the decommissioning schedule requirements of Title 10 of the *Code of Federal Regulations* (10 CFR), sections 50.82(a)(3) and (b)(4)(i), i.e., the schedule requirements for the termination of licenses, using the criteria in those regulations. In support of those submittals, the NRC held closed teleconferences with GEH in September 2015 and November 2015 to discuss the security factors related to decommissioning identified by GEH in their request, and NRC management visited the site in November 2016. The NRC also held a closed meeting with GEH representatives in October 2016 to discuss additional national security factors related to the request.

The July 15, 2016 request was in the form of an exemption from the decommissioning schedule requirements of § 50.82(a)(3) and § 50.82(b)(4)(i), using the criteria for exemptions found in 10 CFR 50.12, "Specific Exemptions." The schedule requirements for the termination of licenses in § 50.82 contain criteria for an exemption from those sections, namely that the exemption is necessary to protect public health and safety. For the NRC to use the exemption criteria of § 50.12 to review the request, the NRC first needed to determine that the requirements of § 50.82 could not be met for this request. NRC has determined that the exemption criteria of § 50.82 cannot be met for this request and is therefore evaluating the request using the criteria of § 50.12.

Through our review of this request, against the criteria of § 50.12, the NRC has determined that additional information is necessary to complete our evaluation. The request for additional information is enclosed. In order to make the application for exemption complete, the NRC staff requests that GEH supplement the application to address the information requested in the

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enclosure by June 20, 2017. This will enable the NRC staff to begin its detailed technical review. If GEH would like to discuss the NRC's basis for this request or the specific information necessary to address our request, we can schedule a public meeting at a mutually agreeable time and date.

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 or would like to arrange for a public meeting, please contact me at 301-415-6634 or via e-mail Jack.Parrott@nrc.gov.

Sincerely,

/RA/

Jack D. Parrott, Senior Project Manager
Reactor Decommissioning Branch
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety and Safeguards

Docket Nos. 050-00018, 050-0183, and 050-0070
License Nos. DPR-1, DR-10, and TR-1

Non-Public Enclosure:
Request for Additional Information

cc w/o encl: GE Vallecitos mailing list

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