

## NRR-DMPSPeM Resource

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**From:** Lamb, John  
**Sent:** Tuesday, April 10, 2018 7:46 AM  
**To:** 'david.helker@exeloncorp.com'  
**Cc:** Richard.Gropp@exeloncorp.com; Bonnett, Frederick Paul:(GenCo-Nuc)  
**Subject:** Acceptance Review - Oyster Creek - Request for Exemptions from 10 CFR 50.82(a)(8)(i) (A) and 10 CFR 50.75(h)(1)(iv) (EPID No. L-2018-LLE-xxxx)

Dear Mr. Helker:

By letter dated March 22, 2018 (ML18081A201), Exelon Generation Company, LLC (Exelon) submitted an exemption for Oyster Creek Nuclear Generating Station. The purpose of this e-mail is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this exemption request. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

The NRC staff has reviewed your application and concluded that it does provide technical information in sufficient detail to enable the NRC staff to complete its detailed technical review and make an independent assessment regarding the acceptability of the proposed amendment in terms of regulatory requirements and the protection of public health and safety and the environment. Given the lesser scope and depth of the acceptance review as compared to the detailed technical review, there may be instances in which issues that impact the NRC staff's ability to complete the detailed technical review are identified despite completion of an adequate acceptance review. If additional information is needed, you will be advised by separate correspondence.

In the Exelon submittal dated March 22, 2018, Exelon stated on page A-9 that the proposed exemption meets the eligibility criterion for categorical exclusion set forth in Title 10 of the *Code of Federal Regulations* (10 CFR), Section 51.22(c)(25)(H) for surety, insurance, or indemnity requirements. However, decommissioning trust fund is not surety, insurance, or indemnity requirements. I will refer Exelon to pages 37 through 41 of the Commission Memorandum and Order, CLI-16-17, regarding the Vermont Yankee Exemption for the use of decommissioning trust fund (ML16301A083). Based on CLI-16-17, the NRC staff will perform an Environmental Assessment for this proposed exemption.

Exelon requested that the NRC complete its review of this proposed exemption by October 1, 2018. As you know, the NRC has a metric to complete 90-percent of its licensing actions in 1-year, and a metric to complete 100-percent of its licensing actions in 2-years. Exelon has requested this exemption to be completed in approximately 6-months; this is significantly less than the 1-year metric. The NRC staff cannot guarantee that it will complete its review of this proposed exemption in the requested time. Based on the information provided in your submittal, the NRC staff has estimated that this licensing request will take approximately 300 hours to complete. The NRC staff will endeavor to complete this review in approximately 6 months, which is October 2018. If there are emergent complexities or challenges in our review that would cause changes to the initial forecasted completion date or significant changes in the forecasted hours, the reasons for the changes, along with the new estimates, will be communicated during the routine interactions with the assigned project manager.

These estimates are based on the NRC staff's initial review of the application and they could change, due to several factors including requests for additional information, and unanticipated addition of scope to the review. Additional delay may occur if the submittal is provided to the NRC in advance or in parallel with industry program initiatives or pilot applications.

If you have any questions, please contact me.

John G. Lamb, Senior Project Manager  
Special Projects and Process Branch  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

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**From:** Lamb, John

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