

NRR-DMPSPEm Resource

From: Lamb, John
Sent: Wednesday, September 12, 2018 11:13 AM
To: 'david.helker@exeloncorp.com'; Richard.Gropp@exeloncorp.com; Bonnett, Frederick Paul:(GenCo-Nuc); Dostal, Jeffrey Paul:(GenCo-Nuc)
Subject: For Your Action: RAIs for Oyster Creek PSDAR (EPID: L-2018-LRO-0022)
Importance: High

Dear Mr. Helker:

By letter dated January 7, 2011 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML 110070507), Exelon Generation Company, LLC (Exelon or the licensee), submitted its Notification of Permanent Cessation of Power Operations for Oyster Creek Nuclear Generating Station (Oyster Creek). In this letter, Exelon provided notification to the U.S. Nuclear Regulatory Commission (NRC) of its intent to permanently cease power operation no later than December 31, 2019.

By letter dated February 14, 2018 (ADAMS Accession No. ML 18045A084), Exelon submitted its updated Notification of Permanent Cessation of Power Operations for Oyster Creek. In this letter, Exelon provided notification to the NRC of its intent to permanently cease power operation no later than October 31, 2018.

By letter dated May 21, 2018 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18141A775), Exelon Generation Company, LLC (Exelon or the licensee) submitted a Post Shutdown Decommissioning Activities Report (PSDAR) in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 82(a)(4)(i). In this letter, Exelon stated that it planned to permanently cease operations at Oyster Creek on September 17, 2018.

The NRC staff has reviewed Exelon's submittal and determined that additional information is required to enable the U.S. Nuclear Regulatory Commission (NRC) staff to make an independent assessment regarding its technical review.

The enclosure to this email provides the request for additional information (RAI). On July 11, and August 30, 2018, the draft RAI questions were sent to Mr. Richard Gropp, and Mr. Paul Bonnet of your staff to ensure that they were understandable, the regulatory bases for the questions were clear, and to determine if the information was previously docketed. Teleconference were held on July 12, and September 12, 2018, with Mr. Bonnet and Mr. Gropp of your staff to clarify the RAI questions. Exelon stated they would respond to the RAI within 30 days of the date of this email.

If you have any questions, please contact me at 301-415-3100 or via e-mail at John.Lamb@nrc.gov.

Sincerely,

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

Docket No. 50-219

Enclosure:
Request for Additional Information

ENCLOSURE

REQUEST FOR ADDITIONAL INFORMATION

RELATED TO POST SHUTDOWN DECOMMISSIONING ACTIVITIES REPORT FOR

OYSTER CREEK NUCLEAR GENERATING STATION

EXELON GENERATION COMPANY, LLC

OYSTER CREEK NUCLEAR GENERATING STATION

DOCKET NOS. 50-219 AND 72-15

By letter dated May 21, 2018 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18141A775), Exelon Generation Company, LLC (Exelon or the licensee) submitted a Post Shutdown Decommissioning Activities Report (PSDAR) in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 82(a)(4)(i).

The NRC staff has reviewed Exelon's submittal and determined that additional information is required to enable the U.S. Nuclear Regulatory Commission (NRC) staff to make an independent assessment regarding its technical review.

Regulatory Basis

The regulation 10 CFR 50.82(a)(4)(i) states that the licensee shall submit a PSDAR to the NRC that includes "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." The regulation 10 CFR 50.82(a)(6) states, in part, that "[l]icensees shall not perform any decommissioning activities ... that ... [r]esult in significant environmental impacts not previously reviewed" In NUREG-0586, "Generic Environmental Impact Statement on Decommissioning of Nuclear Facilities: Supplement 1, Regarding the Decommissioning of Nuclear Power Reactors" (decommissioning GEIS), the NRC evaluated the environmental impacts during the decommissioning of nuclear power reactors. The decommissioning GEIS concludes that:

For those issues that have been determined to be generic, licensees may proceed with the decommissioning activity without further analysis provided that the impacts resulting from those activities fall within the range of impacts as described in Chapter 4. However, if the impacts of an activity fall outside the range predicted in Chapter 4, or if the activity results in impacts to environmental issues not considered in this Supplement, or if the impact involves an environmental issue determined to be conditionally site-specific as defined above, then the activity cannot be performed until a further site-specific analysis is completed along with a license-amendment request and NRC has approved the license amendment (the license amendment request will provide an opportunity for a public hearing).

Consistent with the decommissioning GEIS, 10 CFR 50.82(a)(4)(i) could be satisfied by stating in the PSDAR that, prior to performing decommissioning activities that result in significant environmental impacts, the licensee will complete a further site-specific analysis along with a license amendment request or, alternatively, along with an exemption request.

Aquatic and Terrestrial Resources

In Section 5.1.5, “Aquatic Ecology,” and Section 5.1.6, “Terrestrial Ecology,” of Exelon’s PSDAR (ADAMS Accession No. ML18141A775), Exelon states that offsite impacts to aquatic and terrestrial resources may result from dredging and from ground disturbing activities associated with moving large plant components from the Oyster Creek Nuclear Generating Station (OCNGS) powerblock area to the barge landing, which is outside of the operational area. Exelon concludes that the offsite impacts from dredging are bounded by the impacts in the NRC’s GEIS for License Renewal of Nuclear Plants (NUREG-1437, Revision 1). Exelon concludes that the impacts from erosion and sedimentation on aquatic resources and that the impacts from decommissioning activities on terrestrial resources outside of the operational area would be small and bounded by the analysis in the decommissioning GEIS.

The decommissioning GEIS, however, states that the issues of aquatic and terrestrial ecology for activities beyond the operational area are conditionally site-specific and that any planned decommissioning activity would require a site-specific analysis along with a license amendment request prior to undertaking the proposed activity.

A/T-1 Consistent with 10 CFR 50.82(a)(4)(i), please provide the reasons for concluding that the environmental impacts to aquatic and terrestrial ecology associated with ground disturbing activities beyond the operational area will be bounded by appropriate previously issued environmental impact statements. Please explain why the decommissioning GEIS bounds these impacts despite its statement that the issues of aquatic and terrestrial ecology for activities beyond the operational area are conditionally site-specific and/or explain how any significant environmental impacts not previously reviewed will be addressed before the activities are performed (e.g., through the prior approval of a license amendment request or an exemption request).

Special Status Species & Habitats

SS-1 The OCNGS license states that Exelon shall comply with the terms and conditions of the Incidental Take Statement associated with certain sea turtles in the Biological Opinion in effect or as subsequently issued by the National Marine Fisheries Service (NMFS) regarding operation of the facility.

The Biological Opinion in effect regarding operation of the OCNGS contains an Incidental Take Statement with 12 terms and conditions. The Biological Opinion, however, did not consider effects to listed species from any decommissioning plans or other activities associated with the future termination of operations at OCNGS because “[a]s there is no information on future activities currently available, any effects of decommissioning or activities associated with the termination of operation are not knowable at this time.” (ADAMS Accession No. ML12006A217, p. 8).

Please explain how Exelon will continue to comply with each of the 12 terms and conditions during decommissioning. For instance, Term and Condition 2 states that inspection of the cooling water system and dilution water system intake trash bars and immediate area upstream must be conducted at least once every 4 hours from June 1 through October 31. How would decommissioning affect Exelon’s continued conduct of such inspections? Alternatively, should the NRC reinstate consultation with the NMFS in order to amend these terms and conditions for the decommissioning period?

SS-2 In its PSDAR, Exelon describes several State and Federally listed species with the potential to occur within the vicinity of OCNGS (see Table 5.1). In addition, Exelon provides a site-specific assessment of environmental impacts associated with decommissioning activities at OCNGS. Exelon concludes that OCNGS decommissioning activities are unlikely to adversely affect any threatened or endangered species and will have no effect on any designated critical habitat.

The regulation 10 CFR 50.82(a)(4)(i), however, requires that the PSDAR provide the reasons for concluding that the environmental impacts associated with site-specific decommissioning activities will be bounded by appropriate previously issued environmental impact statements.

Consistent with 10 CFR 50.82(a)(4)(i), please explain whether the impacts to the State and Federally listed species with the potential to occur within the vicinity of OCNGS are bounded by appropriate previously issued environmental impact statements. If these impacts are not bounded by appropriate previously issued environmental impact statements, how will Exelon ensure that they will be bounded? For instance, will Exelon complete a site-specific analysis of the issue along with a license amendment request, as discussed in the decommissioning GEIS, before performing any decommissioning activities that result in significant impacts to threatened and endangered species?

Historic and Cultural Resources

Section 5.1.14 of the PSDAR provides an analysis of potential impacts to cultural, historic, and archeological resources, and indicates that Exelon's review of available information identified no historic properties present within the OCGNS operational area.

The decommissioning GEIS states:

In a few situations, the nuclear facility itself could be potentially eligible for inclusion in the National Register of Historic Places, especially if it is older than 50 years and represents a significant historic or engineering achievement. In this case, appropriate mitigation would be developed in consultation with the SHPO [State Historic Preservation Officer]. Even for buildings that are less than 50 years old, the processes and engineering that were employed may be of interest and may be eligible for the Historic American Engineering Record.

HC-1 Does Exelon plan to address with the New Jersey SHPO the potential eligibility of all or portions of the OCNGS facility itself for inclusion in the to the National Register of Historic Places or Historic American Engineering Record, and identify appropriate mitigation measures potentially resulting from this consultation in the PSDAR?

Hearing Identifier: NRR_DMPS
Email Number: 560

Mail Envelope Properties (John.Lamb@nrc.gov20180912111300)

Subject: For Your Action: RAIs for Oyster Creek PSDAR (EPID: L-2018-LRO-0022)
Sent Date: 9/12/2018 11:13:12 AM
Received Date: 9/12/2018 11:13:00 AM
From: Lamb, John

Created By: John.Lamb@nrc.gov

Recipients:

"david.helker@exeloncorp.com" <david.helker@exeloncorp.com>

Tracking Status: None

"Richard.Gropp@exeloncorp.com" <Richard.Gropp@exeloncorp.com>

Tracking Status: None

"Bonnett, Frederick Paul:(GenCo-Nuc)" <Frederick.Bonnett@exeloncorp.com>

Tracking Status: None

"Dostal, Jeffrey Paul:(GenCo-Nuc)" <Jeffrey.Dostal@exeloncorp.com>

Tracking Status: None

Post Office:

Files	Size	Date & Time
MESSAGE	11562	9/12/2018 11:13:00 AM

Options

Priority: High

Return Notification: No

Reply Requested: No

Sensitivity: Normal

Expiration Date:

Recipients Received: