

NRR-DMPSPeM Resource

From: Lamb, John
Sent: Thursday, September 27, 2018 7:48 AM
To: 'david.helker@exeloncorp.com'
Cc: Richard.Gropp@exeloncorp.com; Bonnett, Frederick Paul:(GenCo-Nuc); Dostal, Jeffrey Paul:(GenCo-Nuc)
Subject: Acceptance Review - Oyster Creek License Transfer Application (L-2018-LLM-0002)
Importance: High

Mr. Helker:

By letter dated August 31, 2018 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18243A489), Exelon Generation Company, LLC (Exelon), Oyster Creek Environmental Protection, LLC (OCEP) and Holtec Decommissioning International, LLC (HDI) submitted an Application for Order Approving Direct Transfer of Renewed Facility Operating License (RFOL) and General License and Proposed Conforming License Amendment for Oyster Creek Nuclear Generating Station (Oyster Creek) and the Oyster Creek Independent Spent Fuel Storage Installation (ISFSI).

The proposed license transfer application would provide the direct transfer of the Oyster Creek RFOL No. DPR-16 and the general license for the Oyster Creek ISFSI (collectively the Licenses) from Exelon to OCEP, as the licensed owner; and to HDI, as the licensed operator (collectively Exelon, OCEP, and HDI are referred to as the Applicants). The Applicants also requested that the U.S. Nuclear Regulatory Commission (NRC) approve a conforming amendment to the RFOL to reflect this transfer. The proposed conforming license amendment would be approved, but not issued, until consummation of the transaction. Exelon proposes to notify the NRC at least two business days prior to the expected closing date, so that the conforming license amendment can be issued concurrently with the transaction closing.

The purpose of this letter is to provide the results of the NRC staff's acceptance review of this license transfer application 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.

Consistent with Section 50.80 of Title 10 of the *Code of Federal Regulations* (10 CFR), an application for transfer of a license shall include as much of the information as described in Sections 50.33 and 50.34 of 10 CFR 50, with respect to identity and technical and financial qualifications of the proposed transferee. Also, consistent with 10 CFR 50.90, an amendment to the license must fully describe the changes requested, and following, as far as applicable, the form prescribed for original applications. Section 50.34 of 10 CFR addresses the content of technical information required. This section stipulates that the submittal address the design and operating characteristics, unusual or novel design features, and principal safety considerations.

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 license transfer application 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. You will be advised of any further information needed to support the NRC staff's detailed technical review by separate correspondence.

Based on the information provided in your submittal and discussions during the pre-licensing meeting on August 15, 2018 (ADAMS Accession No. ML18228A534), the NRC staff has estimated that this licensing request will take approximately 630 hours to complete. The NRC metric is to complete 90-percent of all operating reactor licensing actions within 1 year and 100-percent of all operating reactor licensing actions within 2 years. The Applicants have requested that the NRC complete this proposed license transfer application by May 1, 2019; this is an eight month review request. The NRC staff will endeavor to complete this review on the Applicants' requested schedule. 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, unanticipated addition of scope to the review, and review by NRC advisory committees or hearing-related activities.

If you have any questions, please contact me at (301) 415-3100.

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

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From: Lamb, John

Created By: John.Lamb@nrc.gov

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Options

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Return Notification: No
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