



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

November 9, 2018

Mr. Bryan C. Hanson  
Senior Vice President  
Exelon Generation Company, LLC  
President and Chief Nuclear Officer  
Exelon Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

**SUBJECT: OYSTER CREEK NUCLEAR GENERATING STATION – APPLICATION FOR APPROVAL OF TRANSFER OF LICENSE AND CONFORMING AMENDMENT (EPID NO. L-2018-LLM-0002)**

Dear Mr. Hanson:

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) (collectively, the Applicants) submitted an application for an order approving the direct transfer of the Oyster Creek Nuclear Generating Station (Oyster Creek) Renewed Facility Operating License No. DPR-16 and the general license for the Oyster Creek Independent Spent Fuel Storage Installation (ISFSI) (collectively, the Licenses) from Exelon to OCEP, as the licensed owner, and to HDI, as the licensed operator. The Applicants also requested that the U.S. Nuclear Regulatory Commission (NRC) approve a conforming amendment to reflect this transfer.

To support the NRC's staff review of this application, HDI stated that it planned to submit a revised Post-Shutdown Decommissioning Activities Report (PSDAR) (including an Updated Spent Fuel Management Plan) for Oyster Creek, reflecting OCEP's and HDI's plans for implementing accelerated decommissioning (i.e., DECON (immediate dismantlement)), following the proposed license transfer.

By letter dated September 28, 2018 (ADAMS Accession No. ML18275A116), HDI submitted a "Notification of Revised Post-Shutdown Decommissioning Activities Report and Revised Site-Specific Decommissioning Cost Estimate for Oyster Creek Nuclear Generating Station."

The regulation under Section 50.82(a)(4)(i) of Title 10 of the *Code of Federal Regulations* (10 CFR) states:

Prior to or within 2 years following permanent cessation of operations, the *licensee* [emphasis added] shall submit a post-shutdown decommissioning activities report (PSDAR) to the NRC, and a copy to the affected State(s). The PSDAR must contain a description of the planned decommissioning activities along with a schedule for their accomplishment, 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, and a site-specific DCE [decommissioning cost estimate], including the projected cost of managing irradiated fuel.

Pursuant to 10 CFR 50.82(a)(4)(i), Exelon, the licensee for Oyster Creek, submitted the PSDAR for the SAFSTOR (deferred dismantlement) method by letter dated May 21, 2018 (ADAMS Accession No. ML18141A775).

The regulation under 10 CFR 50.82(a)(7) states:

In taking actions permitted under [10 CFR] 50.59 following submittal of the PSDAR, the *licensee* [emphasis added] shall notify the NRC, in writing and send a copy to the affected State(s), before performing any decommissioning activity inconsistent with, or making any significant schedule change from, those actions and schedules described in the PSDAR, including changes that significantly increase the decommissioning cost.

In its letter dated September 28, 2018, HDI stated, in part:

Pursuant to 10 CFR 50.82(a)(7), HDI is submitting the enclosed Revised Post-Shutdown Decommissioning Activities Report (DECON PSDAR) to notify the NRC of changes to accelerate the schedule for the prompt decommissioning of [Oyster Creek] and unrestricted release of all portions of the site (excluding the ISFSI) within eight (8) years after license transfer, if the [license transfer application] is approved.

...

This DECON PSDAR is contingent upon NRC approval of the LTA, completion of transfer of the licenses and asset sale closure.

Consistent with the above regulations, the NRC staff is treating the HDI PSDAR submittal dated September 28, 2018, as a supplement to the Oyster Creek license transfer application dated August 31, 2018, until such time as the NRC makes a regulatory decision regarding the Oyster Creek license transfer application.

B. Hanson

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

Sincerely,

*Scott P Wall (FOR)*

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

Docket Nos. 50-219 and 72-15

cc: Listserv

SUBJECT: OYSTER CREEK NUCLEAR GENERATING STATION – APPLICATION FOR APPROVAL OF TRANSFER OF LICENSE AND CONFORMING AMENDMENT (EPID NO. L-2018-LLM-0002) DATED NOVEMBER 9, 2018

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**ADAMS Accession No. ML18282A035**

**\*via email**

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