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**Subject:** Acceptance Review - HDI Request for Exemption from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv)  
**Date:** Thursday, December 20, 2018 8:43:00 AM

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Dear Mr. Helker:

By letter dated November 30, 2018 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18334A215), Holtec Decommissioning International, LLC (HDI) submitted to the U.S. Nuclear Regulatory Commission (NRC) a Request for Exemption from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv) for Oyster Creek Nuclear Generating Station (Oyster Creek) to allow the use of a portion of the funds from Oyster Creek decommissioning trust funds (DTF) for management of spent fuel and site restoration activities. The submittal also requests, pursuant to 10 CFR 50.12, an exemption from 10 CFR 50.75(h)(1)(iv) to allow Oyster Creek DTF disbursements for spent fuel management and site restoration activities to be made without prior notice, similar to withdrawals in accordance with 10 CFR 50.82(a)(8).

These exemption requests are based on HDI's DECON plan as described in the HDI DECON Notice of Revision to the Oyster Creek Post-Shutdown Decommissioning Activities Report (PSDAR) and Decommissioning Cost Estimate (DCE) submitted to the NRC on September 28, 2018 (ADAMS Accession No. ML18275A116).

The purpose of this e-mail is to provide the results of the 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 exemption 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.

HDI requested that the NRC complete its review of this proposed exemption by May 1, 2019. NRC staff is treating this HDI exemption request as a supplement to the Oyster Creek license transfer application dated August 31, 2018 (ADAMS Accession No. ML18243A489). The NRC staff cannot guarantee that it will complete its review of this proposed exemption in the requested time. The NRC staff will endeavor to complete this review in approximately 6 months. 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.

Zahira Cruz

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*Zahira Cruz*

Project Manager

U.S. Nuclear Regulatory Commission

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