

HOLTEC DECOMMISSIONING INTERNATIONAL, LLC AND

HOLTEC INDIAN POINT 2, LLC

DOCKET NO. 50-003

INDIAN POINT NUCLEAR GENERATING STATION, UNIT NO. 1

AMENDMENT TO PROVISIONAL LICENSE

Amendment No. 64
License No. DPR-5

The U.S. Nuclear Regulatory Commission (the Commission) has found that:

- A. The application for amendment by Entergy Nuclear Operations, Inc., dated May 30, 2002, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter 1;
- B. The facility will be maintained in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
- C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
- D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
- E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations, and all applicable requirements have been satisfied.

Accordingly, License No. DPR-5 is hereby amended as indicated in the attachment to this license amendment, and Provisional License No. DPR-5 is hereby amended to read as follows:

- 1. This license applies to the utilization facility consisting of a pressurized water reactor (the facility) and associated components and equipment, which is owned by Holtec Indian Point 2, LLC (Holtec IP2). The facility is located in Westchester County, New York, and described in the Defueled Safety Analysis Report, as supplemented and amended, and which is designated by Holtec IP2 as the Indian Point Station Unit No. 1.

2. Subject to the conditions and requirements incorporated herein, the U.S. Nuclear Regulatory Commission (hereinafter referred to as "the Commission") hereby licenses:
- a) Holtec IP2 and HDI, pursuant to Section 104b. of the Act and Title 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess but not operate the facility at the designated location in Westchester County, New York, in accordance with the procedures and limitations described in the application and this license;
 - b) HDI, pursuant to the Act and 10 CFR Part 70, to possess up to 1918 kilograms of contained uranium-235 previously received for reactor operation;
 - c) Deleted;
 - d) Deleted;
 - e) HDI, pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not to separate, such byproduct and special materials as were produced by the prior operation of the facility;
 - f) Deleted.
3. This license shall be deemed to contain and is subject to the conditions specified in Sections 50.54 and 50.59 of Part 50, Section 70.32 of Part 70, Section 40.41 of Part 40, and Section 30.32 of Part 30 of the Commission's regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now and hereafter in effect; and is subject to the additional conditions specified below:
- a) Maximum Power Level
HDI is prohibited from taking the reactor to criticality, and the facility shall not be operated at any power level.
 - b) Technical Specifications
The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 64, are hereby incorporated in the license. HDI shall maintain the facility in accordance with the Technical Specifications.
 - c) Deleted
 - d) HDI shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822), and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans¹ for the Indian Point Energy Center, which contain Safeguards Information protected under 10 CFR 73.21, is entitled: "Physical Security, Training and Qualification, and Safeguards Contingency Plan, Revision 0," and was submitted by letter dated October 14, 2004, as supplemented by letter dated May 18, 2006.

¹ The Training and Qualification Plan and Safeguards Contingency Plan are Appendices to the Security Plan.

HDI shall fully implement and maintain in effect all provisions of the Commission-approved cyber security plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The HDI CSP was approved by License Amendment No. 55, as supplemented by changes approved by License Amendment Nos. 57, 59, and 60.

HDI has been granted Commission authorization to use "stand alone preemption authority" under Section 161A of the Atomic Energy Act, 42 U.S.C. 2201a with respect to the weapons described in Section II supplemented with Section III of Attachment 1 to its application submitted by letter dated August 20, 2013, as supplemented by letters dated November 21, 2013, and July 24, 2014, and citing letters dated April 27, 2011, and January 4, 2012. HDI shall fully implement and maintain in effect the provisions of the Commission-approved authorization.

4. Deleted
5. Deleted
6. Deleted
 - a) Deleted
 - b) Provisional Trust
 - (i) The provisional trust agreement must be in a form acceptable to the NRC.
 - (ii) Investments in the securities or other obligations of Holtec International or its affiliates, subsidiaries, successors, or assigns are and shall be prohibited. Except for investments tied to market indexes or other non-nuclear-sector mutual funds, investments in any entity owning one or more nuclear power plants are and shall be prohibited.
 - (iii) The provisional trust agreement must provide that no disbursements or payments from the trust, other than for ordinary administrative expenses, shall be made by the trustee unless the trustee has first given the Director of the Office of Nuclear Reactor Regulation 30 days prior written notice of payment. The provisional trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the NRC.
 - (iv) The provisional trust agreement must provide that the agreement cannot be amended in any material respect, or terminated, without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.
 - (v) The appropriate section of the provisional trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trust shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.
 - (vi) Use of assets in the provisional trust, in the first instance, shall be limited to the expenses related to decommissioning IP1 or IP2 as defined by the NRC in its regulations and issuances, and as provided in this license and any amendments thereto.

- (c) Deleted
7. Deleted
 8. Deleted
 9. The approved Decommissioning Plan supplements the Defueled Safety Analysis Report (DSAR) and the licensee may (i) make changes in the facility or procedures as described in the DSAR or the Decommissioning Plan and (ii) conduct tests, or experiments not described in the DSAR or Decommissioning Plan, without prior Commission approval, provided the requirements of 10 CFR 50.59 and 10 CFR 50.82(a)(6) and (7) are satisfied.
 10. The amended license is effective as of the date of issuance and until the Commission notifies the licensee in writing that the license is terminated.

FOR THE ATOMIC ENERGY COMMISSION

Original signed by
E. G. Case

R. L. Doan, Director
Division of Reactor Licensing

Date of Issuance: October 29, 1965

Appendix A to
Provisional License DPR-5
for
Holtec Indian Point 2, LLC and
Holtec Decommissioning International, LLC

Indian Point Station

Unit No. 1

Docket No. 50-3

PERMANENTLY DEFUELED TECHNICAL SPECIFICATIONS

TABLE OF CONTENTS

| <u>Section</u> | <u>Title</u> | <u>Page</u> |
|----------------|--|-------------|
| 1.0 | General Information | 1 |
| | 1.1 Definitions | 1 |
| | 1.2 Exclusion Distance | 2 |
| 2.0 | Reactor Facility Design Performance Requirements | 2 |
| | 2.1 Deleted | 2 |
| | 2.2 Fuel Storage | 2 |
| 3.0 | Administrative and Procedural Safeguards | 2 |
| | 3.1 Responsibility | 2 |
| | 3.2 Organization | 2 |
| | 3.3 Operating Instructions and Procedures | 2 |
| 4.0 | Operating Limitations | 2 |
| | 4.1 Deleted | 2 |
| | 4.2 Release of Radioactive Liquids and Gases | 2 |
| | 4.3 Deleted | 3 |
| | 4.4 Deleted | 3 |
| | 4.5 Radiological Environmental Monitoring | 3 |
| 5.0 | Maintenance | 3 |
| | 5.1 General | 3 |
| | 5.2 Testing | 3 |
| 6.0 | Plant Reporting Requirements | 3 |

Appendix A to
Provisional License DPR-5

For the

Holtec Indian Point 2, LLC and
Holtec Decommissioning International, LLC

1.0 GENERAL INFORMATION

The facility, known as the Indian Point Station Unit No. 1, is located on a site in the Village of Buchanan, Westchester County, New York. The Indian Point Station Unit No. 2 and the Indian Point Station Unit No. 3 share this site.

Indian Point Unit No. 1 includes a pressurized water reactor, which operated with an authorized maximum steady state power level of 615 thermal megawatts until October 31, 1974. Pursuant to the June 19, 1980 "Commission Order Revoking Authority to Operate Facility" and the "Decommissioning Plan for Indian Point Unit No. 1" approved by the NRC in an Order dated January 31, 1996, the reactor remains in a defueled status and some of the facilities' structures, systems, and components support activities at Indian Point Units 1, 2, and 3. Unit No. 1 and Unit No. 2 are physically contiguous and share a number of systems and facilities as well as a common organization. The technical specifications contained herein recognize this commonality as well as the intended use of the Unit No. 1 facilities to support Unit Nos. 2 and 3 until the fuel for these units is transferred from the spent fuel pits to an offsite storage facility, and contain specific references to Appendix A to the Indian Point Unit No. 2 Facility License No. DPR-26. Unit No. 1 contains radioactive waste processing facilities, which provide waste processing services for Unit Nos. 1, 2, and 3. Radiological effluent limits are met on an overall site basis and specific operating limits and surveillance requirements for effluent monitoring instrumentation, including stack noble gas monitoring, are discussed in the Offsite Dose Calculation Manual.

1.1 Definitions

Offsite Dose Calculation Manual (ODCM)

The Offsite Dose Calculation Manual contains the current methodology and parameters used in the calculation of offsite doses due to radioactive gaseous and liquid effluents, in the calculation of gaseous and liquid effluent monitoring alarm/trip setpoints, and in the conduct of the environmental radiological monitoring program. Requirements for the ODCM are specified in Appendix A to the Indian Point Nuclear Generating Unit No. 2 Facility License No. DPR-26.

1.2 Exclusion Distance

1.2.1 The minimum distance from the reactor facility to the nearest land boundary of the exclusion area, as defined in 10 CFR 100 shall be 1400 feet.

1.2.2 The minimum distance from the reactor center line to the boundary of the site exclusion area and the outer boundary of the low population zone as defined in 10 CFR 100.3 is 460 meters and 1100 meters, respectively.

2.0 **REACTOR FACILITY DESIGN PERFORMANCE REQUIREMENTS**

2.1 Deleted

2.2 Fuel Storage

No fuel shall be stored in the Unit No. 1 spent fuel storage area.

3.0 **ADMINISTRATIVE AND PROCEDURAL SAFEGUARDS**

3.1 Responsibility

Responsibilities are as specified in Appendix A to the Indian Point Nuclear Generating Unit No. 2 Facility License No. DPR-26.

3.2 Organization

The organization requirements are as specified in Appendix A to the Indian Point Nuclear Generating Unit No. 2 Facility License No. DPR-26.

The Shift Manager is responsible for the Unit No. 1 facility.

3.3 Operating Instructions and Procedures

3.3.1 No fuel will be loaded into the reactor core or moved into the reactor containment building without prior review and authorization by the Nuclear Regulatory Commission.

3.3.2 Detailed written instruction setting forth procedures used in connection with the facility shall conform to the requirements specified in Appendix A to the Indian Point Nuclear Generating Unit No. 2 Facility License No. DPR-26.

4.0 **OPERATING LIMITATIONS**

4.1 Deleted

4.2 Release of Radioactive Liquids and Gases

The concentration of radioactive materials released in liquid or gaseous form to unrestricted areas shall not exceed the limits specified in 10 CFR Part 20. Release of radioactive liquids and gases shall also be consistent with the requirements of 10 CFR Part 50, Appendix I, as specified in the ODCM.

4.3 Deleted

4.4 Deleted

4.5 Radiological Environmental Monitoring

The Indian Point site Radiological Environmental Monitoring Program shall be conducted as specified in the ODCM.

5.0 MAINTENANCE

5.1 General

Components addressed in these technical specification requirements, which have been repaired, replaced, or otherwise subjected to temporary or permanent modification, shall be tested in accordance with procedures, which are appropriate in view of the nature of the repair, replacement, or modification, and the condition of the system.

5.2 Testing

Unit 1 radioactive effluent monitoring instrumentation shall satisfy the surveillance requirements as specified in the ODCM.

6.0 PLANT REPORTING REQUIREMENTS

Reporting Requirements are as specified in Appendix A to the Indian Point Nuclear Generating Unit No. 2 Facility License No. DPR-26.