



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

June 4, 2019

Catherine R. McCabe, Commissioner
New Jersey Department of Environmental
Protection and Energy
401 E. State Street
7th Floor, East Wing
Trenton, NJ 08625-0402

SUBJECT: TERMINATION OF EMERGENCY RESPONSE DATA SYSTEM FEED FOR
OYSTER CREEK NUCLEAR GENERATING STATION

Dear Commissioner McCabe:

This letter serves to notify the State of New Jersey that Exelon Generation Company, LLC (Exelon) has terminated the Emergency Response Data System (ERDS) link from the Oyster Creek Nuclear Generating Station (Oyster Creek) to the U.S. Nuclear Regulatory Commission (NRC) Operations Center, based on the permanently shutdown status of the facility.

Section VI of Appendix E to Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR) establishes the requirement for a nuclear power reactor licensee to have a real-time electronic data link from the licensee's onsite computer system to the NRC Operations Center that provides for the automated transmission of a limited data set of selected parameters. The Memorandum of Understanding between the NRC and the State of New Jersey dated April 22, 1993, provides the basis for mutually agreeable procedures whereby the State of New Jersey may utilize the NRC ERDS to receive data during an emergency at a commercial nuclear power plant for which any portion of the plant's 10 mile Plume Exposure Pathway Emergency Planning Zone (EPZ) lies within the State of New Jersey.

By letter dated January 7, 2011 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML110070507), Exelon notified the NRC, pursuant to 10 CFR 50.82(a)(1)(i), of its intention to permanently cease power operations at Oyster Creek no later than December 31, 2019. On February 14, 2018 (ADAMS Accession No. ML18045A084), Exelon notified the NRC that it planned to permanently cease power operations at an earlier date of no later than October 31, 2018. On September 17, 2018, Oyster Creek ceased power operations. By letter dated September 25, 2018 (ADAMS Accession No. ML18268A258), Exelon submitted certification to the NRC, pursuant to 10 CFR 50.82(a)(1)(ii), of the permanent removal of fuel from the Oyster Creek reactor vessel and the placement of the fuel in the Oyster Creek spent fuel pool as of September 25, 2018. Upon docketing of these certifications, the 10 CFR Part 50 license for Oyster Creek no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel, as specified in 10 CFR 50.82(a)(2).

Nuclear power facilities that have permanently or indefinitely shut down are exempt from the requirements to have an ERDS data link to the NRC (see Section VI.2 of Appendix E to 10 CFR Part 50). As such, Exelon has revised Oyster Creek's procedures, under

10 CFR 50.54(q), to remove the requirement to activate the ERDS data transmission within 1 hour of an emergency declared as an alert or higher classification.

The termination of the ERDS link for Oyster Creek does not impact the licensee's responsibility to provide notification to offsite authorities for an emergency declaration, to provide information on facility status to support the assessment of a potential radiological release at the facility, and to advise on offsite action that offsite authorities may consider to protect their citizenry, as described in their Post-Shutdown Emergency Plan, which was approved by letter dated December 15, 2017 (ADAMS Accession No. ML17339A632).

Finally, the termination of the ERDS link with Oyster Creek will not impact the State of New Jersey's ability to continue to receive plant information via the ERDS link for incidents related to Hope Creek Generating Station and Salem Nuclear Generating Station.

If you have any questions regarding the termination of the ERDS link for Oyster Creek, or continued interface with the NRC for an event at Oyster Creek, please contact Bezakulu Alemu at (301) 287-3731 or by email at Bezakulu.Alemu@nrc.gov.

Sincerely,

/RA/ R. Johnson for

Michael Scott, Director
Division of Preparedness and Response
Office of Nuclear Security and Incident Response

cc:
Paul Baldauf, Assistant Commissioner,
New Jersey Department of
Environmental Protection, Air Quality,
Energy & Sustainability

SUBJECT: LETTER TO THE STATE OF NEW JERSEY RE: TERMINATION OF ERDS FEED
TO THE NRC FOR OYSTER CREEK NUCLEAR GENERATING STATION

DATE:

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ADAMS ACCESSION NO. ML19072A232

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