

From: [Snyder, Amy](#)
To: [Gubbi, Veena](#); ["Schwartz, Paul"](#); ["Orlando, Paul"](#)
Subject: FOR YOUR COMMENTS- STATE OF NEW JERSEY- OYSTER CREEK- EXEMPTION REQUESTS FOR USE OF THE DECOMMISSIONING TRUST FUND FOR SPENT FUEL MANAGEMENT AND SITE RESTORTATION
Date: Thursday, May 16, 2019 8:59:00 AM

Ms. Gubbi, Mr. Schwartz, and Mr. Orlando:

The U.S. Nuclear Regulatory Commission (NRC) staff plans to issue exemptions to Oyster Creek Nuclear Generating Station (Oyster Creek) at end of June 2019.

On August 31, 2018, Exelon Generation Company, LLC (Exelon or the licensee), Oyster Creek Environmental Protection, LLC (OCEP), and Holtec Decommissioning International, LLC (HDI) submitted a License Transfer Application (LTA) requesting NRC approval to transfer the Oyster Creek Renewed Facility Operating License and the General License for the Oyster Creek Independent Spent Fuel Storage Installation to OCEP, as the licensed owner, and to HDI, as the licensed operator. By letter dated November 30, 2018 (Agencywide Documents Management and Access System [ADAMS] Accession No. ML18334A215), HDI requested exemption from sections 50.82(a)(8)(i)(A) and 50.75(h)(1)(iv) of title 10 of the Code of Federal Regulations (10 CFR) for Renewed Facility Operating License No. DPR-16, issued to Exelon) for the Oyster Creek facility located in Ocean County, New Jersey.

Exelon permanently ceased power operations at Oyster Creek on September 17, 2018 (ADAMS Accession No. ML18263A163). On September 25, 2018 (ADAMS Accession No. ML18268A258), Exelon permanently removed fuel from the Oyster Creek reactor vessel.

The proposed exemptions would allow the use a portion of the funds from the Oyster Creek decommissioning trust fund (DTF or the Trust) for irradiated fuel management and site restoration activities based on the Revised Post Shutdown Decommissioning Activities Report (ADAMS Accession No. ML18275A116) without prior notice to the NRC, in the same manner that funds from the Trust are used under 10 CFR 50.82(a)(8) for decommissioning activities. These exemptions, if granted, would be issued simultaneously with the license transfer Order, if the LTA is approved, and would be effective upon the NRC's issuance of a conforming license amendment reflecting HDI and OCEP as the licensees for Oyster Creek, following consummation of the license transfer transaction.

If the State of New Jersey has comments on the Exemptions, please provide the comments by June 3, 2019.

In addition, the NRC will issue an Environmental Assessment and Finding of No Significant Impact for the Exemptions, as well as the associated Exemptions.

Thank you.


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