

**From:** [Mulligan, Patrick](#)  
**To:** [Snyder, Amy](#)  
**Cc:** [Orlando, Paul](#); [Lamb, John](#); [Humphreys, Jerry](#); [Gubbi, Veena](#)  
**Subject:** [External\_Sender] FOR YOUR COMMENTS- STATE OF NEW JERSEY- OYSTER CREEK- CONFORMING AMENDMENT ASSOCIATED WITH THE OYSTER CREEK GENERATING STATION LICENSE TRANSFER APPLICATION  
**Date:** Friday, May 31, 2019 11:28:04 AM

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Ms. Snyder,

By application dated August 31, 2018 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18243A489), including proprietary financial information provided as Enclosure 2A, "Asset Purchase and Sale Agreement By and Between Exelon Generation Company, LLC, Oyster Creek Environmental Protection, LLC, and Holtec International", Exelon Generation Company, LLC (EGC), Oyster Creek Environmental Protection, LLC (OCEP) and Holtec Decommissioning International, LLC (HDI) (together, "Applicants"), requested that the U.S. Nuclear Regulatory Commission (NRC) consent to the proposed direct transfer of the Oyster Creek Nuclear Generating Station (OCNGS) Renewed Facility Operating License No. DPR-16 and the OCNGS Independent Spent Fuel Storage Installation (ISFSI) general license (collectively referred to as the facility or Oyster Creek). Enclosure 2A of the application contains sensitive unclassified non-safeguards information (proprietary commercial and financial information) that is being withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations (10 CFR) 2.390. Specifically, the Applicants requested that the NRC consent to the direct transfer of EGC's currently licensed authority (licensed owner and operator for decommissioning) to OCEP as the licensed owner and to HDI as the licensed operator for decommissioning. In addition, the Applicants requested that the NRC approve a conforming amendment to the facility licenses to reflect this transfer from EGC to OCEP and HDI.

The proposed amendment would be a conforming amendment to reflect the license transfer from Exelon to OCEP, as the owner, and HDI, as the operator, should the NRC approve the license transfer request. The subject application is for approval of a transfer of a license issued by the NRC and an associated conforming amendment required to reflect the approval of the transfer. Accordingly, the actions involved meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(21). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the approval of the transfer application and conforming license amendment.

The Bureau of Nuclear Engineering (BNE) reviewed the License Transfer Application (LTA) outlining the terms and conditions of the license transfer from Exelon to OCEP as the licensed owner and to HDI as the licensed operator for decommissioning.. BNE staff met with the Decommissioning Team from both Exelon and Holtec to review certain aspects of the LTA and to ask clarifying questions regarding the transfer of the license. All BNE comments/concerns

were discussed and satisfactorily addressed during the meeting. Additionally, the New Jersey Department of Environmental Protection (NJDEP) signed an Administrative Consent Order (ACO) agreement with Exelon outlining specific emergency preparedness requirements and commitments that have been addressed in the LTA.

Based on the outcome of the meeting discussions and the ACO commitments, the NJDEP has no comments or concerns with the issuance of this Amendment.

If you have any questions, feel free to contact me.

Thank you.

Pat

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