

From: [Snyder, Amy](#)
To: ["Mulligan, Patrick"](#)
Cc: [Humphreys, Jerry](#); ["Gubbi, Veena"](#); [Orlando, Paul](#); [Tifft, Doug](#); [Conway, Kimberly](#); [Watson, Bruce](#)
Subject: For Your Comments - State of New Jersey - Oyster Creek - Remove Reference to the Cyber Security Plan (CSP) and update the Associated License Condition 2.C.(4) in the Renewed Facility License.
Date: Wednesday, June 26, 2019 8:09:44 AM
Importance: High

Dear Mr. Mulligan:

The U.S. Nuclear Regulatory Commission (NRC) staff plans to issue an amendment to Oyster Creek Nuclear Generating Station (Oyster Creek) in August 2019.

By application dated November 12, 2018 (ADAMS Accession No. ML18317A022), Exelon requested a change to Renewed Facility License No. DPR 16 for the Oyster Creek, pursuant to 10 CFR 50.90. The proposed change would remove reference to the Cyber Security Plan (CSP) and update the associated License Condition 2.C.(4) in the renewed facility license. This will allow the Licensee to terminate the Oyster Creek CSP and associated activities at the site. According to the Licensee, the proposed change is based on the lowered risk profile of Oyster Creek, a nuclear power reactor that has permanently ceased operations and has removed all fuel from the reactor vessel. The Licensee acknowledges for a decommissioning facility with a permanently defueled reactor the spectrum of possible accidents is significantly reduced and the risk of an offsite radiological release is significantly lower.

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. In addition, on June 20, 2019, the staff issued an Order (ADAMS Accession No. ML19095A458) approving the transfer of the Oyster Creek renewed operating license from Exelon Generating Company, LLC (Exelon) to Oyster Creek Environmental Protection, LLC (OCEP), as owner, and Holtec Decommissioning International, LLC (HDI), as operator that will be in charge of dismantling the plant. Concurrently, the staff granted an exemption for HDI to use the decommissioning trust fund for spent fuel management and site restoration. The plant is currently owned by Exelon. The approval of the license transfer request and exemption request are conditioned on the successful purchase of Oyster Creek by OCEP.

If the State of New Jersey has comments on the amendment application that requests to remove reference to the CSP and update the associated License Condition 2.C.(4) in the renewed facility license, please provide the comments by July 15, 2019.

In addition, this proposed amendment proceeding relates solely to safeguards matters and does not involve any significant construction impacts and relate to modifications to systems used for security and/or materials accountability. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding published in the Federal Register on August 15, 2017 (82 FR 38718). Accordingly, the proposed amendment proceeding meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(12). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment would be needed to be prepared in connection with the issuance of the amendment, should it be approved.

Thanks.

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