

ENCLOSURE 2

LICENSE AMENDMENT NO. 64

THREE MILE ISLAND NUCLEAR STATION, UNIT NO. 2

POSSESSION ONLY LICENSE NO. DPR-73

DOCKET NO. 50-320

DRAFT

TMI-2 SOLUTIONS, LLC
THREE MILE ISLAND NUCLEAR STATION, UNIT NO. 2
DOCKET NO. 50-320
AMENDMENT TO POSSESSION ONLY LICENSE

Amendment No. 64
License No. DPR-73

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment to the Three Mile Island Nuclear Station, Unit No. 2 (herein "the facility" or "TMI-2") Possession Only License No. DPR-73 filed by GPU Nuclear, Inc. (herein "GPUN") dated November 12, 2019, as supplemented by letters dated December 12, 2019, March 18, 2020, and June 12, 2020; and email dated September 2, 2020, 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 I;
 - B. The facility will operate 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.
2. Accordingly, the license and technical specifications are hereby amended as follows:
 - A. Changes to the license

The heading of the license is amended to replace "METROPOLITAN EDISON COMPANY, JERSEY CENTRAL POWER AND LIGHT COMPANY, PENNSYLVANIA ELECTRIC COMPANY, GPU NUCLEAR, INC." with "TMI-2 SOLUTIONS, LLC."

Section 1.A. is hereby amended to read as follows: "The application for the transfer of the possession only license from Metropolitan Edison Company, Jersey Central Power and Light Company, Pennsylvania Electric Company, and GPU Nuclear, Inc. to TMI-2 Solutions, LLC (the Licensee) 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 Title 10 of the *Code of Federal Regulations* (10 CFR) Chapter I, and all required notifications to other agencies or bodies have been duly made;”

Section 2. is hereby amended to read as follows: “Possession Only License No. DPR-73 is hereby issued to TMI-2 Solutions, LLC to read as follows:”

Section 2.A. is hereby amended to read as follows: “This license applies to the Three Mile Island Nuclear Station, Unit 2, (the facility) owned by TMI-2 Solutions, LLC. The facility is located on Three Mile Island in the Susquehanna River in Londonderry Township, Dauphin County, Pennsylvania, about ten miles southeast of Harrisburg. Prior to entry into Post-Defueling Monitored Storage (PDMS), the facility is described in the Final Safety Analysis Report as supplemented and amended, the various Recovery System Descriptions and Technical Evaluation Reports and the Environmental Report as supplemented and amended. Upon entry into PDMS, the facility is described in the PDMS Safety Analysis Report as supplemented and amended and the Environmental Report as supplemented and amended.”

Section 2.B.(1) is hereby amended to read as follows: “TMI-2 Solutions, LLC, pursuant to Section 103 of the Atomic Energy Act (“Act”) and 10 CFR Part 50, ‘Domestic Licensing of Production and Utilization Facilities,’ to possess but not operate the facility;”

Section 2.B.(2) is hereby amended to read as follows: “TMI-2 Solutions, LLC to possess the facility at the designated location in Dauphin County, Pennsylvania, in accordance with the procedures and limitations set forth in this license;”

Section 2.B.(3) is hereby amended to read as follows: “TMI-2 Solutions, LLC, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use at any time any sealed sources for radiation monitoring equipment calibration;”

Section 2.B.(4) is hereby amended to read as follows: “TMI-2 Solutions, LLC, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use in amounts as required any byproduct, source, or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components, and;”

Section 2.B.(5) is hereby amended to read as follows: “TMI-2 Solutions, LLC, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate, such byproduct and special nuclear materials which remain at the facility subsequent to the cleanup following the March 28, 1979, accident;”

Section 2.C.(1) is hereby amended to read as follows: “The Technical Specifications, as revised through Amendment No. 64 are hereby incorporated into this license. The licensee shall operate the facility in accordance with the Technical Specifications and all Commission Orders issued subsequent to the date of the possession-only license.”

Section 2.C.(3) is added to read as follows: “Upon the date of closing, and proceeding until determination of completion of Phase 2 of facility decommissioning, TMI-2 Solutions will maintain a Financial Support Agreement in the amount of \$100M, less the value of any cash-funded Provisional Trust Account, Disposal Capacity Easement, and Letter of Credit procured by TMI-2 Solutions for the benefit of the Back-Up Trust Account under the Back-Up & Provisional Trust Agreement.”

Section 2.C.(4) is added to read as follows: "At time of closing, EnergySolutions, Inc. will provide a Parent Guarantee in favor of the FirstEnergy Companies to guarantee the payment and performance of the obligations of TMI-2 Solutions as to the TMI-2 decommissioning. This guarantee makes the resources of EnergySolutions available to help ensure the successful decommissioning of TMI-2, assuring the ability of TMI-2 Solutions to (i) pay the costs of decommissioning the TMI-2 facility; (ii) protect the public health and safety; and (iii) meet NRC requirements."

Section 2.C.(5) is added to read as follows: "These financial support conditions (2.C.(3) and 2.C.(4)) may not be voided, canceled, or modified without the prior written consent of the NRC. These financial support conditions are in place and will be maintained as described in the application. The Director of the Office of Nuclear Material Safety and Safeguards shall be informed, in writing, no later than 10 working days after any funds are provided under the terms of the conditions listed above."

Section 2.G. is hereby amended to read as follows: "This license is effective as of the date of issuance and until the Commission notifies the licensee in writing that the license is terminated."

B. Changes to the Technical Specifications

Section 1.17 is hereby amended to read as follows: "An UNRESTRICTED AREA shall be any area at or beyond the SITE BOUNDARY access to which is not controlled by TMI-2 Solutions, LLC for purposes of protection of Individuals from exposure to radiation and radioactive materials, or any area within the SITE BOUNDARY used for residential quarters or for industrial, commercial, institutional, and/or recreational purposes."

Section 1.18 is hereby amended to read as follows: "The SITE BOUNDARY shall be that line beyond which the land is neither owned, nor leased, nor otherwise controlled by TMI-2 Solutions, LLC. The SITE BOUNDARY for gaseous and liquid effluents shall be as shown in the Offsite Dose Calculation Manual (ODCM)."

Section 6.1.1 is hereby amended to read as follows: "The TMI-2 Solutions, LLC Project Director is responsible for the management of overall unit operations at Unit 2 and shall delegate in writing the succession to this responsibility during absence."

Section 6.2.1 is hereby amended to read as follows: "The TMI-2 Solutions, LLC organization for unit management and technical support shall be as in Section 10.5 of the PDMS SAR."

Section 6.12 b. is hereby amended to read as follows: "Shall become effective after review and acceptance by TMI-2 Solutions, LLC Project Director."

3. This license amendment is effective as of the date of its issuance and shall be implemented within 7 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Bruce A. Watson, Chief
Reactor Decommissioning Branch
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Attachment:
Changes to Possession Only License No. DPR-73
Changes to Technical Specifications

Date of Issuance:

ATTACHMENT TO LICENSE AMENDMENT NO. 64
THREE MILE ISLAND NUCLEAR STATION, UNIT NO. 2

POSSESSION ONLY LICENSE NO. DPR-73

DOCKET NO. 50-320

Replace the following pages of Possession Only License No. DPR-73 and the technical specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Possession Only License No. DPR-73

Remove

1
2
3
4
5

Insert

1
2
3
4
5

Technical Specifications

Remove

1-4
6-1
6-15

Insert

1-4
6-1
6-15