



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

January 25, 2021

Hampton H. Hart, Jr., Acting Director  
Technological Hazards Division  
Federal Emergency Management  
Agency 400 C Street, South West Area 8  
Washington, DC 20024

SUBJECT: NOTIFICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY  
OF THE IMPLEMENTATION OF APPROVED EXEMPTIONS FROM OFF-SITE  
EMERGENCY PLANNING REQUIREMENTS FOR THE THREE MILE ISLAND  
NUCLEAR STATION UNITS 1 AND 2

Dear Mr. Hart:

This is to notify you that on January 20, 2021, the Three Mile Island Nuclear Station (TMI) implemented specific exemptions from emergency planning (EP) requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.47, "Emergency plans," and Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," to 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," (Agencywide Documents Access and Management System [ADAMS] Accession No. ML20261H925). The exemptions were authorized by the U.S. Nuclear Regulatory Commission (NRC) on December 1, 2020 (ADAMS Accession No. ML20244A291), based on our analysis of an exemption application from Exelon Generation Company, LLC (Exelon). Upon implementation of these exemptions, emergency planning and preparedness at TMI, which is mandated by the NRC, is limited to continuing to perform licensee on-site emergency response activities, such as exercises, notifying off-site authorities in the event of an emergency classification, and maintaining arrangements for only off-site response organizations (OROs) that may respond to on-site emergencies (e.g., law enforcement, fire and medical services). TMI will continue to offer OROs with responsibilities under the licensee's emergency plan the opportunity to participate in exercises.

The NRC-authorized exemptions included an effective date of 488 days (approximately 16 months) after permanent cessation of power operations. By letter dated June 20, 2017 (ADAMS Accession No. ML17171A151), Exelon certified to the NRC that it planned to permanently cease power operations at TMI-1 on or about September 30, 2019, in accordance with 10 CFR 50.82(a)(1)(i). TMI-1 subsequently permanently ceased power operations on September 20, 2019. By letter dated September 26, 2019 (ADAMS Accession No. ML19269E480), pursuant to 10 CFR 50.82(a)(1)(ii), Exelon certified that all fuel had been permanently removed from the TMI-1 reactor vessel and placed in the spent fuel pool (SFP) on September 26, 2019. Upon the NRC's docketing of Exelon's certification that all fuel has been permanently removed from the TMI-1 reactor vessel and placed into the TMI SFP, pursuant to

10 CFR 50.82(a)(2), the 10 CFR Part 50 license for TMI-1 no longer authorizes operation of the reactor or emplacement or retention of fuel in the reactor vessel.

TMI Unit 2 has been in a non-operating status since the 1979 accident. Its licensee has conducted a substantial program to defuel the reactor vessel and decontaminate the facility. The plant defueling was completed in April 1990 and all spent fuel has been removed, except for some debris in the reactor coolant system. The removed fuel is currently in storage at the Idaho National Laboratory, with the U.S. Department of Energy having taken title to and possession of the fuel. TMI Unit 2 has a possession-only license and is currently maintained in accordance with the NRC-approved SAFSTOR condition (method by which a nuclear facility is placed and maintained in a condition that allows it to be safely stored and subsequently decontaminated) known as post-defueling monitored storage.

The NRC no longer requires the Federal Emergency Management Agency (FEMA) to monitor, review, or report on off-site radiological emergency planning and preparedness activities at the TMI site in accordance with the Memorandum of Understanding between FEMA and the NRC, dated December 7, 2015 (ADAMS Accession No. ML15344A371). As such, we request that FEMA provide a formal notice to the Commonwealth of Pennsylvania, and other State and local governments within the designated plume exposure pathway and ingestion pathway emergency planning zones that the off-site radiological emergency plans, under Title 44, "Emergency Management and Assistance," of the CFR, Part 350, "Review and Approval of State and Local Radiological Emergency Plans and Preparedness," will no longer be required for the TMI site.

Should you need more information or support in interfacing with the Commonwealth of Pennsylvania on this matter, please contact Joseph Anderson of my staff at (301) 287-9300.

Sincerely,

 Signed by Brock, Kathryn  
on 01/25/21

Kathryn M. Brock, Director  
Division of Preparedness and Response  
Office of Nuclear Security and Incident Response

cc: C. Fiore, FEMA  
B. Foreman, FEMA  
J. Weil, OCA  
D. McIntyre, OPA

NOTIFICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY OF THE IMPLEMENTATION OF APPROVED EXEMPTIONS FROM OFF-SITE EMERGENCY PLANNING REQUIREMENTS FOR THE THREE MILE ISLAND NUCLEAR STATION UNITS 1 AND 2 DATE January 25, 2021

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ADAMS Accession No.: Ltr ML20345A193

\* via email

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DATE	Jan 21, 2021	Jan 21, 2021	Jan 21, 2021	Jan 25, 2021

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