



~~SECURITY-RELATED INFORMATION – WITHHOLD FROM PUBLIC DISCLOSURE UNDER 10 CFR 2.390~~

10 CFR 73.5

June 3, 2021

Attn: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Oyster Creek Nuclear Generating Station
Renewed Facility Operating License No. DPR-16
Docket No. 50-219 and 72-15

Subject: Request for Exemption from 10 CFR 73, Appendix B, Section VI, Subsection C.3.(l)(1) and Subsection A.7., Regarding Annual Force-on-Force (FOF) Exercises

- References:
1. NRC Letter to Holtec Decommissioning International, "Oyster Creek Nuclear Generating Station-Exemption from Certain Requirements of 10 CFR Part 73, Appendix B, "General Criteria for Security Personnel," Section VI (L-2020-LLE-0054)" dated May 20, 2020.
 2. NRC Letter to Holtec Decommissioning International, "Oyster Creek Nuclear Generating Station-Exemption from Annual Force-On-Force Exercise Requirement of Title 10 of the Code of Federal Regulations Part 73, Appendix B, "General Criteria for Security Personnel," Subsection VI.C.3(l)(1) (EPID L-2020-LLE-0213 [COVID-19])" dated December 16, 2020.
 3. Holtec Decommissioning International Letter to NRC, "Oyster Creek Registration of Spent Fuel Cask Use and Notification of Permanent Removal of All Spent Fuel Assemblies from the Spent Fuel Pool" dated May 25, 2021. (ML21145A261)

Pursuant to the provisions of 10 Code of Federal Regulations (CFR) 73.5, 10 CFR 50.54(p), 10 CFR 73.55, 10 CFR 72.212, and 10 CFR 50.90, Holtec Decommissioning International, LLC (HDI) is submitting a request for an exemption to the Physical Security Plan (PSP) for Oyster Creek Generating Station (OCNGS). Specifically, this exemption requests Nuclear Regulatory Commission (NRC) approval of the cessation of Force-on-Force (FOF) activities and related

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training that supports these activities as specified within the OCNGS Physical Security, Training and Qualification, and Safeguards Contingency Plan, Revision 21.

The site configuration that is reflected in the exemption and appropriately completed 10 CFR 50.54(p) reviews, documents that all remaining spent fuel in the spent fuel pool has been moved to the Independent Spent Fuel Storage Installation (ISFSI). Spent fuel movement to the ISFSI has been completed and documented in Reference 3. The proposed exemption meets requirements for an ISFSI only facility, and does not interfere with the protection of material on site that is licensed by the OCNGS License that resides within the ISFSI as well as other special nuclear material on site.

The proposed exemption request, eliminating the requirements for the FOF and associated activities, is appropriate for OCNGS as all spent nuclear fuel is on the ISFSI pad stored in approved dry storage containers. This site condition changed a key feature of the physical security basis. Specifically, there are no identified target sets to design a defensive posture that the security force would train and drill on. Currently OCNGS is scheduled to run the required annual FOF drills for the security force. With all the site's spent nuclear fuel in dry storage and on the ISFSI pad, the OCNGS security force mission has changed from interdict and neutralize threats to identify, observe, and report. Trained and qualified responders are not required, and to continue training and drilling to this standard is burdensome for the site and the security force.

The NRC approved security exemptions for Oyster Creek as described and documented in References 1 and 2. Reference 1 provided exemption for security training and drill requirements during the pandemic in 2020. Reference 2 provided exemption for specific FOF exercises during 2020.

HDI is currently scheduled to complete annual FOF exercises between the first and second quarter of 2021 with a required completion date of June 30, 2021

In accordance with the provisions of 10 CFR 73.5, HDI requests an exemption from the annual FOF exercises as required by 10 CFR 73, Appendix B, Section VI, Subsection C.3.(l)(1). The attachment contains the justification. HDI requests approval of this exemption by June 15, 2021. The proposed exemption would apply to security personnel currently qualified on the identified requalification items identified in the Attachment.

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Pursuant to 10 CFR 50.91(a)(1), HDI has performed an evaluation and determined that the proposed exemption presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of “no significant hazards consideration” is justified. Furthermore, HDI has evaluated this proposed license amendment against the criteria for identification of licensing and regulatory actions requiring environmental assessment in accordance with 10 CFR 51.21 and has concluded, pursuant to 10 CFR 51.22(b), that no environmental impact statement or environment assessment need be prepared in connection with the proposed amendment.

This letter contains no new regulatory commitments.

Should you have any questions or require further information, please contact me at (856) 797-0900, x3813.

I declare under the penalty of perjury that the forgoing is true and correct.
Executed on June 3, 2021.

Sincerely,

Andrea L. Sterdis
HDI Vice President, Regulatory and Environmental Affairs
Holtec Decommissioning International, LLC

cc:

USNRC Regional Administrator, Region I
USNRC Project Manager, NMSS - Oyster Creek Nuclear Generating Station
USNRC Region I, Lead Inspector - Oyster Creek Nuclear Generating Station
Assistant Commissioner, Air Quality, Energy and Sustainability, NJ DEP
Assistant Director Radiation Protection Element, NJ Bureau of Nuclear Engineering

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