

## **COMMENT RESOLUTION:**

Your submittal dated March 16, 2021 (ADAMS Accession No. ML21075A337) contained the following language (or concept) that was used in the Safety Evaluation Report. The comments to be resolved appear as bullets following the highlighted text.

### ***HDI Clarification—Basis for the request to amend the OCNGS Renewed Facility License and Associated Technical Specifications:***

*Once all spent fuel assemblies have been transferred to dry cask storage on the ISFSI pad, several decommissioning plants currently in the decommissioning process, including Kewaunee (ML 15261A236), Crystal River Unit 3 (ML 16243A249), Vermont Yankee (ML 17206A200), San Onofre Units 2 and 3 (ML 16355A014) and Fort Calhoun (ML18275A323) have revised the Post Defueled Technical Specifications to reflect the requirements for ISFSI only decommissioning. The precedence in these applications as well as the NRC Safety Evaluation Reports approving these applications provided the basis for HDI's proposed amendment to the OCNGS Renewed Facility Operating License and associated Technical Specifications.*

### **License Condition 2.C.(16)**

The licensee proposed to delete this license condition in its entirety. This license condition involves management of license renewal application (LRA) commitments. The purpose of these LRA commitments was to ensure that the aging effects of equipment important to the safe operation of the reactor are managed so that the functionality of SSCs are maintained during the facility's period of extended operation. In letter dated March 9, 2009 (ADAMS Accession No. ML090720894), Exelon documented that it had completed implementation of commitments that were required by April 2009 for Oyster Creek and entering the period of extended operation.

For a permanently shutdown facility where all spent fuel has been located within the ISFSI, most of the equipment subject to aging management programs are no longer in use and functionality does not need to be maintained. However, during decommissioning some equipment, such as for equipment related to the fire protection system to address fire events that could result in radiological hazards per the requirements of 10 CFR 50.48(f), may be required beyond the permanent cessation of operations and therefore may be subject to an aging management program.

### **NRC Clarification Request 1)**

- This section is a little confusing and hard to follow. We say here that equipment related to fire protection may be required beyond permanent cessation of operations. But later we conclude that there is no equipment needing aging management. We also say that these commitments were moved to the DSAR.

### ***HDI Clarification for Request 1:***

*The highlighted paragraph above (found on page 9 of 36 of the Enclosure to HDI-OC-21-021) is intended to demonstrate that following permanent shutdown **most** Systems, Structures and Components (SSCs) that are needed for safe of operation of the reactor are no longer in use and their functionality is no longer necessary, and therefore the*

*aging management commitments are no longer applicable. However, during decommissioning, are **there may be some** SSCs that, due to potential radiological hazards, may continue to be subjected to aging management commitments. At permanent cessation of operations, the OCNGS SSCs were evaluated and assessed using 10 CFR 50.59 and 10 CFR 54.21 to determine those SSCs that, after permanent shutdown, remained subject to aging management commitments. OCNGS UFSAR Revision 21, submitted to NRC on October 15, 2019 was a complete revision of the UFSAR issued to reflect the Post Defueled Technical Specifications (ML18227A338) and was renamed as Revision 0 of the Decommissioning Safety Analysis Report (DSAR) . The Aging Management Programs including LRA commitments are included in DSAR, and specific SSCs are identified in DSAR Appendix A. The OCNGS commitments for aging management will continue to be maintained in the DSAR and updated in accordance with 10 CFR 50.71(e). Changes to these aging management commitments continue to be evaluated in accordance with 10 CFR 50.59 In addition, all fire protection requirements associated with 10 CFR 50.48(f) are in compliance with the regulations and are controlled within the OCNGS fire protection program and therefore do not require separate aging management requirements.*

*In summary, the Aging Management Program and LRA commitments included in the OCNGS DSAR remain in compliance with the licensing basis for the OCNGS Renewed Facility License. Changes to the program and LRA commitments are reviewed in accordance with the 10 CFR 50.59 regulations.*

#### **NRC Request for Clarification 2:**

- Please clarify how fire equipment aging management is being handled here. Was it moved to the DSAR?

#### **HDI Clarification for Request 2:**

*Upon NRC approval of License Renewal in September 2008 (Safety Evaluation Report and Supplements Accession Nos. ML062300330, ML063630424, ML070890637 and ML080230078), and Exelon completion of the implementation of the commitments in April 2009, OCNGS entered the period of extended operation. At that time, consistent with 10 CFR 50.71(e), the Aging Management Program and License Renewal Amendment (LRA) commitments were included in the OCNGS UFSAR. As discussed previously, following permanent shutdown, the UFSAR was revised to reflect the Post Defueled Technical Specifications (ML18227A338) and was renamed as Revision 0 of the Decommissioning Safety Analysis Report (DSAR).*

*As explained previously, all fire protection requirements associated with 10 CFR 50.48(f) are controlled within the OCNGS fire protection program and therefore do not require separate aging management requirements.*

Prior to cessation of operations, Oyster Creek LRA commitments for aging management were incorporated into Appendix A, "Defueled Safety Analysis Report Supplement (Aging Management)", of the DSAR, which is updated in accordance with 10 CFR 50.71(e). Changes to these license renewal commitments continue to be evaluated and controlled pursuant to the change review requirement criteria identified 10 CFR 50.59 and 10 CFR 50.71(e). **On this basis, the NRC staff has previously found that update and or removal of license renewal**

commitments identified in the DSAR acceptable per the established controls provided for maintaining the DSAR.

**NRC Request for Clarification 3:**

- Was this a previous amendment? If so, please add the date and ML# for the amendment.

**HDI Clarification for Request 3:**

*The changes to eliminate the license condition for the license renewal commitments due to the inclusion of the commitments in the DSAR is based on the previous precedence for relocating administrative requirements to either the QA plan or other licensee-controlled documents and controlling them in accordance with 10 CFR 50.54(a), 10 CFR 50.71(e), 10 CFR 50.48(f) and 10 CFR 50.59. The precedence for this that was considered in the OCNCS requested amendment includes the Fort Calhoun request for amendment to the FCS Renewed Facility License and associated Technical Specifications to reflect the requirements for ISFSI only decommissioning (ML18275A323 request for amendment and ML19297D674 NRC Safety Evaluation Report).*

There is no other equipment meeting the requirements of the aging management program that is needed in the ISFSI only facility condition. The spent fuel storage cask systems located in an ISFSI are subject to their own Certificate of Compliance and Cask Technical Specification requirements. These cask protection requirements are not referenced or identified by License Condition 2.C.(16). On this basis, the NRC staff finds the deletion of the aging management license condition acceptable.

**NRC Request for Clarification 4:**

- See comment above. Is fire equipment aging management an issue? If so, how is it being handled.

**HDI Clarification for Request 4:**

*All fire protection requirements associated with 10 CFR 50.48(f) are controlled within the OCNCS fire protection program and therefore do not require separate aging management requirements.*