

From: [Andrea Sterdis](#)
To: [Snyder, Amy](#)
Cc: [Dave Noyes](#); [Francis McGinnis](#)
Subject: [External_Sender] HDI Clarification of Exemption Requested from 10 CFR 20, Appendix G, Section III.E
Date: Thursday, September 23, 2021 1:09:23 PM

September 23, 2021

Reference: HDI-PIL-21-103

Email: Amy.Snyder@nrc.gov

ATTN: NRC NMSS Project Manager - Pilgrim
Nuclear Power Station

Pilgrim Nuclear Power Station
Renewed Facility License No. DPR-35
NRC Docket No. 50-293 and 72-1044

Subject: Clarification of Exemption Requested from 10 CFR 20, Appendix G, Section III.E,
Road Carrier Tracking Additional Information

References: [1] Letter from Andrea L. Sterdis (Holtec Decommissioning International) to
U.S. Nuclear Regulatory Commission, "Request for Exemption from 10
CFR 20, Appendix G, Section III.E," August 30, 2021 (ML21242A267)

By letter dated August 30, 2021 (Reference 1), Holtec Decommissioning International (HDI) submitted a proposed exemption from 10 CFR 20, Appendix G, Section III.E, to address an extension of the time period to receive acknowledgement that the shipment has been received by the intended recipient be extended from 20 days to 45 days for low-level radioactive waste shipments.

The NRC requested a clarification to the HDI exemption relative to identification of methods to be used to track the status and location of radwaste shipments transported by truck (i.e., roadway shipments). The proposed clarification is provided below.

This email contains no new regulatory commitments.

If you have any questions or need further information, please contact me at (856) 797-0900, ext. 3813.or a.sterdis@holtec.com.

Respectfully,

Andrea L. Sterdis

Andrea L. Sterdis
Vice President Regulatory and Environmental Affairs
Holtec Decommissioning International (HDI)

Krishna P. Singh Campus
1 Holtec Blvd.
Camden, NJ 08104
A.Sterdis@Holtec.com
Tel: (856)797-0900, x3813

Mobile: +1 (724)493-1833



-

Attachment to HDI-PIL-21-103

-

NRC Clarification Request:

The NRC requested a clarification to the HDI exemption request relative to methods to be used to track the status and location of shipments when they are transported by truck.

HDI Response to Clarification:

PNPS proposes the following revision to the Section IV – Justification for Exemption found in Attachment 1 to the HDI request for exemption (Reference 1 to this letter) .

IV. JUSTIFICATION FOR EXEMPTION

As stated in 10 CFR 20.2301, "The Commission may, upon application by a licensee or upon its own initiative, grant an exemption from the requirements of the regulations in this part if it determines the exemption is authorized by law and would not result in undue hazard to life or property."

(1) The Requested Exemption is Authorized by Law

There are no provisions in the Atomic Energy Act (or in any other federal statute) that impose a requirement to investigate and report to the NRC low-level radioactive waste shipments that have not been acknowledged by the intended recipient within 20 days after transfer. Therefore, there is no statutory prohibition on the issuance of the requested exemption, and the NRC is authorized to grant the exemption under law.

(2) The Requested Exemption Would Not Result in Undue Hazard to Life or Property

The intent of 10 CFR 20, Appendix G, Section III.E is to require licensees to investigate, report, and trace radioactive shipments that have not reached their destination within 20 days after transfer. For **truck (roadway) and rail** shipments, PNPS utilizes an electronic data tracking system that allows monitoring the progress of the shipments by the rail/road carrier on a daily basis. As a result, granting an exemption to PNPS for shipments of low-level radioactive waste to disposal facilities or waste processors results in no undue hazard to life or property.

The purpose of the 10 CFR 20, Appendix G regulation is to investigate a late shipment that may be lost, misdirected, or diverted. For **truck (roadway) and rail shipments**, PNPS utilizes an electronic data tracking system interchange that allows monitoring the progress of the shipments daily. As a result, it will be unlikely that a shipment could be lost, misdirected, or diverted without the knowledge of the carrier or PNPS.

The information contained herein is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material from Holtec International. If you are not the intended recipient, you must not keep, use, disclose, copy or distribute this email without the author's prior permission. Further, review, retransmission, dissemination, or other use of this information in whole or part for any other purpose by persons outside the recipient's organization is strictly prohibited unless explicit authorization to such effect has been issued by the sender of this message. Holtec International policies expressly prohibit employees from making defamatory or offensive statements and infringing any copyright or any other legal right by Email communication. Holtec International will not accept any liability in respect of such communications. Holtec International has taken precautions to minimize the risk of transmitting software viruses, but we advise you to carry out your own virus checks on any attachment to this message. Holtec International cannot accept liability for any loss or damage caused by software viruses. If you are the intended recipient and you do not wish to receive similar electronic messages from us in the future then please respond to the sender to this effect.