

November 15, 2021

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

R. E. Ginna Nuclear Power Plant
Renewed Facility Operating License No. DPR-18
NRC Docket Nos. 50-244 and 72-67

Subject: Response to Request for Additional Information - Request for Exemption from the Biennial Emergency Preparedness Exercise Requirements in 10 CFR 50, Appendix E, Section IV.F.2.c

- References:
- 1) Letter from David T. Gudger (Exelon Generation Company, LLC) to U.S. Nuclear Regulatory Commission – R. E. Ginna Nuclear Power Plant - "Request for Exemption from the Biennial Emergency Preparedness Exercise Requirements in 10 CFR 50, Appendix E, Section IV.F.2.c," dated October 6, 2021 (ML21279A112)
 - 2) Electronic Mail Message from Brent Ballard (U.S. Nuclear Regulatory Commission) to Jessie Hodge (Exelon Generation Company, LLC), et al. – "NRC Request for Additional Information for Ginna Biennial EP Exemption Request (EPID: L-2021-LLE-0044)," dated November 4, 2021 (ML21308A559)

By letter dated October 6, 2021 (Reference 1), Exelon Generation Company, LLC (Exelon) submitted an Exemption Request pursuant to 10 CFR 50.12 requesting U.S. Nuclear Regulatory Commission (NRC) approval of an exemption from the requirements of 10 CFR 50, Appendix E, Section IV.F.2.c. Specifically, Exelon requested deferring/postponing the evaluation of certain offsite elements/objectives of Ginna's 2021 biennial Emergency Preparedness (EP) exercise.

On August 24, 2021, Ginna conducted its biennial NRC-graded EP exercise as scheduled. However, only the onsite portions of the exercise were performed. Prior to conducting the exercise, Exelon was informed that the State of New York Office of Emergency Management (OEM) and the Federal Emergency Management Agency (FEMA), would not be available to support the Ginna August 24, 2021, exercise. Based on follow-up discussions with the affected OROs, it was determined that rescheduling participation with the OROs to complete the applicable exercise objectives would not be feasible by December 31, 2021, as required by 10 CFR 50, Appendix E, Section IV.F.2.c. The OROs indicated that response efforts to Hurricane/Tropical Storm Henri and Hurricane/Tropical Storm Ida and the continued COVID-19 public health emergency are impacting their resources and ability to find a suitable time to complete the necessary exercise objectives by December 31, 2021, as required.

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In a U.S. Nuclear Regulatory Commission (NRC) electronic mail message dated November 4, 2021 (Reference 2), the NRC issued a Request for Additional Information (RAI) indicating that it had reviewed the information submitted in the Reference 1 letter pertaining to the proposed Exemption Request and additional clarifying information was needed in order to support its continued review. The NRC had previously issued a draft RAI via electronic mail message on November 2, 2021, which was the subject of a clarification call on November 3, 2021.

Accordingly, the Attachment to this letter provides Exelon's response to the NRC's RAI.

If you have any questions concerning this submittal, please contact Rory Flynn (Manager, Emergency Preparedness) at 267-533-1764.

Respectfully,

David T. Gudger

David T. Gudger
Sr. Manager, Licensing
Exelon Generation Company, LLC

Attachment: Response to Request for Additional Information - Request for Exemption from the Biennial Emergency Preparedness Exercise Requirements in 10 CFR 50, Appendix E, Section IV.F.2.c

cc: w/ Attachment
Regional Administrator – NRC Region I
NRC Senior Resident Inspector – Ginna
NRC Project Manager, NRR – Ginna
A. L. Peterson, NYSERDA
B. Frymire, NYSPSC

ATTACHMENT

**Response to Request for Additional Information -
Request for Exemption from the Biennial Emergency Preparedness Exercise
Requirements in 10 CFR 50, Appendix E, Section IV.F.2.c**

R. E. Ginna Nuclear Power Plant
Renewed Facility Operating License No. DPR-18
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Response to Request for Additional Information - Request for Exemption from the Biennial Emergency Preparedness Exercise Requirements in 10 CFR 50, Appendix E, Section IV.F.2.c

By letter dated October 6, 2021 (ML21279A112), Exelon Generation Company, LLC (Exelon) submitted an Exemption Request pursuant to 10 CFR 50.12 requesting U.S. Nuclear Regulatory Commission (NRC) approval of an exemption from the requirements of 10 CFR 50, Appendix E, Section IV.F.2.c. Specifically, Exelon requested deferring/postponing the evaluation of certain offsite elements/objectives of Ginna's 2021 biennial Emergency Preparedness (EP) exercise. On August 24, 2021, Ginna conducted its biennial NRC-graded EP exercise as scheduled. However, only the onsite portions of the exercise were performed. Prior to conducting the exercise, Exelon was informed that the State of New York Office of Emergency Management (OEM) and the Federal Emergency Management Agency (FEMA), would not be available to support the Ginna exercise. Based on follow-up discussions with the affected OROs, it was determined that rescheduling participation with the OROs to complete the applicable exercise objectives would not be feasible by December 31, 2021, as required by 10 CFR 50, Appendix E, Section IV.F.2.c. The OROs indicated that response efforts to Hurricane/Tropical Storm Henri and Hurricane/Tropical Storm Ida and the continued COVID-19 public health emergency are impacting their resources and ability to find a suitable time to complete the necessary exercise objectives by December 31, 2021, as required.

In a U.S. Nuclear Regulatory Commission (NRC) electronic mail message dated November 4, 2021 (ML21308A559), the NRC issued a Request for Additional Information (RAI) indicating that it had reviewed the information submitted in the October 6, 2021, letter pertaining to the proposed Exemption Request and additional clarifying information was needed in order to support its continued review. The NRC had previously issued a draft RAI via electronic mail message on November 2, 2021, which was the subject of a clarification call on November 3, 2021.

Accordingly, this attachment contains Exelon's response to the NRC's RAI. The specific question is restated below followed by Exelon's response.

RAI-1

Requirement:

- *10 CFR Part 50, Appendix E, Section IV.F.2.c requires offsite plans for each site to be exercised biennially with full or partial participation by each offsite authority having a role under the plan.*

Guidance

- *Regulatory Issue Summary 2006-03, "Guidance on Requesting an Exemption from Biennial Emergency Preparedness Exercise Requirements," dated February 24, 2006 (ADAMS Accession No. ML053390039), states in part:*

Rescheduling an exercise within the same calendar year does not require an exemption from regulatory requirements. If the NRC grants an exemption from 10 CFR Part 50, Appendix E, Sections IV.F.2.b and IV.F.2.c, to allow a biennial exercise to be postponed until the following calendar year, the licensee's exercise cycle is not affected. For example, if a licensee is scheduled to conduct its biennial exercise in an even calendar year and receives an exemption to postpone the exercise until the

following odd year, future biennial exercises must still be conducted in even calendar years.

- *Letter, "Planned Actions Related to Emergency Preparedness Biennial Exercise Requirements for All Licensees During the Coronavirus Disease 2019 Public Health Emergency," dated May 14, 2020 (ML20120A003), states in part,*

[A] statement that if an exemption is granted to allow the licensee to conduct the CY [calendar year] 2020 biennial exercise in CY 2021, that future biennial exercises will continue to be held in even years....

Issue:

*There is no statement in the application with respect to when the future biennial exercise will be conducted. Further, Attachment 2, "State of New York OEM Electronic Mail Message Related to Deferring Completion of ORO Exercise Criteria/Objectives," of the submitted application states, in part, that it is NYS's [State of New York's] desire, with the exemption as proposed, to conduct only one Ginna exercise in 2022 and then **start their biennial clock over with the next Ginna FEMA evaluated exercise in 2024.** [emphasis added]*

Request:

Please provide clarification for when the future biennial exercises will occur at the Ginna site for both onsite and offsite participation.

Response

The next scheduled Biennial Exercise for Ginna is in 2023 based on the current biennial cycle which includes both onsite and offsite participation.

Exelon is pursuing an initiative to balance the number of Exercises it has between odd and even years, and as such may look to perform a Graded Exercise in 2022 for Ginna to start a new biennial exercise clock. This is being pursued separately from the current exemption request, with the understanding that completing the performance of the offsite portions/objectives from the 2021 Exercise in the second quarter of 2022 or prior to July 20, 2022 (this timeframe tentatively agreed to with New York State and FEMA) would not start a new clock that would run to 2024 but would complete the previous cycle that was to end in 2021.