



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

March 31, 2022

Daniel G. Stoddard
President and Chief Nuclear Officer
Dominion Energy Kewaunee, Inc.
5000 Dominion Blvd
Glen Allen, VA 23060

SUBJECT: ORDER APPROVING TRANSFER OF THE LICENSE FOR KEWAUNEE
POWER STATION AND CONFORMING LICENSE AMENDMENT
(EPID L-2021-LLO-0002)

Dear Mr. Stoddard:

By letter dated May 10, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. [ML21131A141](#)), as supplemented by letters dated May 13, 2021 (ADAMS Accession No. [ML21145A118](#)), October 28, 2021 (ADAMS Accession No. [ML21301A177](#)), February 16, 2022 (ADAMS Accession No. [ML22047A057](#)), and March 15, 2022 (ADAMS Accession No. [ML22076A065](#)), Dominion Energy Kewaunee, Inc. (DEK) and EnergySolutions, LLC (EnergySolutions) (together, the Applicants) requested that the U.S. Nuclear Regulatory Commission (NRC) consent to the indirect transfer of control of Renewed Facility Operating License No. DPR-43 for Kewaunee Power Station (KPS) and the general license for the KPS independent spent fuel storage installation. Pursuant to Section 184, "Inalienability of Licenses," of the Atomic Energy Act of 1954, as amended, and Title 10 of the *Code of Federal Regulations* (10 CFR) Sections 50.80, "Transfer of licenses," and 72.50, "Transfer of license," the Applicants requested indirect transfer of control of the licenses from DEK's parent entity, Dominion Nuclear Projects, Inc. (Dominion), to EnergySolutions. In addition, pursuant to 10 CFR 50.90, "Application for amendment of license, construction permit, or early site permit," the Applicants requested that the NRC approve a conforming administrative amendment to Renewed Facility Operating License No. DPR-43 to reflect, concurrent with the transfer, the proposed transfer and the planned name change from DEK to Kewaunee Solutions, Inc. (Kewaunee Solutions).

By letter dated March 15, 2022, the Applicants requested that the NRC approve the withdrawal of the previous commitment made by letter dated February 16, 2022 and replace it with a new commitment that Kewaunee Solutions will retain in place, and assume responsibility for, the implementation of the current NRC-approved quality assurance program for KPS. This commitment shall remain in effect until the Kewaunee Solutions Decommissioning Quality Assurance Program for KPS is approved by the NRC and implemented at the site.

Enclosure 4 to this letter contains proprietary information. Upon separation from Enclosure 4, this letter is decontrolled.

D. Stoddard

- 2 -

The NRC published its notice of consideration of approval of the May 10, 2021 application, as supplemented by letter dated May 13, 2021, in the *Federal Register* (FR) on October 12, 2021 (86 FR 56731). The supplemental letters dated October 28, 2021, February 16, 2022, and March 15, 2022 provided additional information that clarified the application and did not expand the scope of the application as originally noticed.

The NRC staff has completed its review of the license transfer application. Enclosure 1 is the order (ADAMS Accession No. [ML22014A392](#)) that provides NRC consent to the indirect license transfer, subject to the conditions described therein. The order also approves the draft conforming administrative license amendment in Enclosure 2 (ADAMS Accession No. [ML22014A393](#)), which the NRC will issue and make effective at the time the transfer is completed. Enclosure 3 (ADAMS Accession No. [ML22014A394](#)) is the publicly available version of the NRC staff's safety evaluation related to the application. Enclosure 4 is the non-publicly available version of the NRC staff's safety evaluation.

The order will be forwarded to the Office of the Federal Register for publication.

If you have any questions regarding this matter, please contact the KPS project manager, Karl Sturzebecher, by telephone at 301-415-8534 or by email to Karl.Sturzebecher@nrc.gov.

Sincerely,

/RA/

Bruce A. Watson, Chief
Reactor Decommissioning Branch
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Docket Nos. 50-305 and 72-64

Enclosures:

1. Order
2. Draft Conforming License Amendment
3. Safety Evaluation (Non-Proprietary)
4. Safety Evaluation (Proprietary)

cc:

Mr. Craig D. Sly
Manager - Nuclear Fleet Licensing
Nuclear Regulatory Affairs
Dominion Energy Services, Inc.
5000 Dominion Blvd
Glen Allen, VA 23060
craig.d.sly@dominionenergy.com

D. Stoddard

- 3 -

William S. Blair
General Counsel
Dominion Energy Kewaunee, Inc.
120 Tredegar St.
Richmond, VA 23219
william.s.blair@dominionenergy.com

Paul M. Bessette
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004-2541
paul.bessette@morganlewis.com

Kenneth W. Robuck
President and Chief Executive Officer
EnergySolutions, LLC
121 West Trade Street, Suite 2700
Charlotte, NC 28202
kvrobbuck@energysolutions.com

Russell G. Workman
General Counsel Secretary
EnergySolutions, LLC
299 South Main Street, Suite 1700
Salt Lake City, UT 84111
rgworkman@energysolutions.com

Daniel F. Stenger
Hogan Lovells US LLP
555 13th St NW
Washington, DC 20004
daniel.stenger@hoganlovells.com

Gerard P. Van Noordennen
Senior Vice President Regulator Affairs
EnergySolutions, LLC
121 West Trade Street
Charlotte, NC 28202
gpvan Noordennen@energysolutions.com

cc w/o Enclosure 4: Kewaunee ListServ

~~OFFICIAL USE ONLY – PROPRIETARY INFORMATION~~

ENCLOSURE 1

ORDER APPROVING INDIRECT TRANSFER OF LICENSE

AND DRAFT CONFORMING LICENSE AMENDMENT

DOCKET NOS. 50-305 AND 72-64

~~OFFICIAL USE ONLY – PROPRIETARY INFORMATION~~

ENCLOSURE 2

DRAFT CONFORMING LICENSE AMENDMENT

TO RENEWED FACILITY OPERATING LICENSE NO. DPR-43

DOCKET NO. 50-305

ENCLOSURE 3

**SAFETY EVALUATION BY THE OFFICE OF NUCLEAR MATERIAL
SAFETY AND SAFEGUARDS RELATED TO THE REQUEST FOR TRANSFER
OF CONTROL OF RENEWED FACILITY OPERATING LICENSE NO. DPR-43
AND THE GENERAL LICENSE FOR THE
INDEPENDENT SPENT FUEL STORAGE INSTALLATION
FROM DOMINION NUCLEAR PROJECTS, INC.
TO *ENERGYSOLUTIONS*, LLC
KEWAUNEE POWER STATION
DOCKET NOS. 50-305 AND 72-64
(NON-PROPRIETARY)**

ENCLOSURE 4

**SAFETY EVALUATION BY THE OFFICE OF NUCLEAR MATERIAL
SAFETY AND SAFEGUARDS RELATED TO THE REQUEST FOR TRANSFER
OF CONTROL OF RENEWED FACILITY OPERATING LICENSE NO. DPR-43
AND THE GENERAL LICENSE FOR THE
INDEPENDENT SPENT FUEL STORAGE INSTALLATION
FROM DOMINION NUCLEAR PROJECTS, INC.
TO ENERGYSOLUTIONS, LLC
KEWAUNEE POWER STATION
DOCKET NOS. 50-305 AND 72-64
(PROPRIETARY)**

C. Sly

- 8 -

SUBJECT: ORDER APPROVING TRANSFER OF THE LICENSE FOR THE KEWAUNEE POWER STATION LICENSE AND CONFORMING LICENSE AMENDMENT (EPID L-2021-LLO-0002). Date: March 31, 2022.

DISTRIBUTION:

R. Lewis, NMSS/DD
A. Roberts, NMSS/DUWP/DD
Z. Cruz-Perez, NMSS/DUWP/RDB
M. Burgess, NMSS/MSST/MSEB

ADAMS Accession No.: ML22014A387; Ltr ML22014A391 *concur via e-mail

OFFICE	NMSS/DUWP/RDB/PM	NMSS/DUWP/RDB/PM	NMSS/DUWP/RDB/BC
NAME	KSturzebecher	ASnyder	BWatson
DATE	01/14/2022	03/03/2022	03/07/2022
OFFICE	NMSS/REFS/FAB/BC	NMSS/DUWP/D	OGC – NLO
NAME	FMiller	JMarshall	JWachutka*
DATE	03/10/2022	03/22/2022	03/24/2022
OFFICE	NMSS Tech Editor	NMSS/D	
NAME	PBuzdygon	JLubinski	
DATE	03/24/2022	03/31/2022	

OFFICIAL RECORD COPY