



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

SAFETY EVALUATION BY  
THE OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS  
RELATED TO AMENDMENT NO. 304  
TO RENEWED FACILITY OPERATING LICENSE NO. DPR-50  
CONSTELLATION ENERGY GENERATION, LLC  
THREE MILE ISLAND NUCLEAR STATION, UNIT 1  
DOCKET NO. 50-289

1.0 INTRODUCTION

The Three Mile Island Nuclear Station (TMINS) is located in the Londonderry Township of Dauphin County, approximately 10 miles southeast of Harrisburg, Pennsylvania. The TMINS site includes Three Mile Island, Unit 1 (TMI-1) and Unit 2 (TMI-2) and encompasses approximately 440 acres, including TMINS and adjacent islands on the north end, a strip of land on the mainland along the eastern shore of the river, and the area on the eastern shore of Shelley Island that is within the exclusion area (a 2,000-foot radius from a point equidistant between the centers of the TMI-1 and TMI-2 Reactor Buildings).

TMI-2 is owned by EnergySolutions, has been shut down since the accident in 1979, and since 1993 has been in a SAFSTOR condition known as “post-defueling monitored storage” pending decommissioning at some future time. EnergySolutions holds a possession only license for TMI-2. All spent fuel has been removed except for some debris in the reactor coolant system. The removed fuel is currently in storage at Idaho National Laboratory, and the U.S. Department of Energy has taken title and possession of the fuel.

TMI-1 is a single unit Babcock & Wilcox Pressurized Water Reactor. Constellation Energy Generation, LLC, a subsidiary of Exelon Generation Company, LLC (Exelon) is the holder of Renewed Facility Operating License (RFOL) No. DPR-50 for TMI-1, which was issued pursuant to the Atomic Energy Act of 1954, as amended, and Part 50, “Domestic Licensing of Production and Utilization Facilities,” of Title 10 of the *Code of Federal Regulations* (10 CFR). Constellation Energy Generation, LLC constructed an Independent Spent Fuel Storage Installation (ISFSI) and began to transfer irradiated fuel from the TMI-1 spent fuel pools (SFPs) to the ISFSI in 2021. The spent fuel transfer campaign is anticipated to be completed by the end of summer 2022.

By letter dated June 20, 2017 (Reference 1), Exelon provided formal notification to the U.S. Nuclear Regulatory Commission (NRC) that Exelon had determined to permanently cease operations at TMI-1 on or about September 30, 2019. On September 26, 2019, Exelon provided formal notification in accordance with 10 CFR 50.82(a)(1)(ii) certifying all fuel has been permanently removed from the TMI-1 reactor vessel and placed in the SFPs (Reference 2).

Therefore, in accordance with 10 CFR 50.82(a)(2), the 10 CFR Part 50 license for TMI-1 no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel. By letter dated April 5, 2019, Exelon submitted its Post-Shutdown Decommissioning Activities Report (PSDAR) for TMI-1 (Reference 3).

On November 16, 2021, the Commission issued an Order approving the transfer of all of the Exelon Generation Company, LLC nuclear fleet licenses, to Constellation Energy Generation, LLC (Reference 4), which included the TMI-1 license. On February 1, 2022, Constellation Energy Generation, LLC notified the NRC that the Exelon Generation Company, LLC officially changed its name to Constellation Energy Generation, LLC and the indirect transfer of the cited licenses, to include TMINS and TMI-1, was completed on February 1, 2022 (Reference 5).

In the February 1, 2022, letter, Constellation Energy Generation, LLC also stated that:

Prior to the indirect license transfers, Exelon made docketed submittals to the NRC that requested specific licensing actions, such as license amendment requests, relief requests, exemption requests, etc. This letter requests that the NRC continue to process all pending licensing actions on the schedules previously requested by Exelon.

On February 1, 2022, a conforming amendment, License Amendment No. 302 (Reference 6), was issued for RFOL No. DPR-50 for TMI-1, to reflect Constellation Energy Generation, LLC as the licensee for Three Mile Island, Unit 1.

By application dated December 16, 2020, from Exelon (Reference 7), as supplemented on March 28, 2022 (Reference 8) by Constellation Energy Generation, LLC, the licensee requested amendments to RFOL No. DPR-50 for TMI-1 and the Technical Specifications (TS). The proposed amendment would revise the RFOL and the Permanently Defueled Technical Specifications (PDTS) to align with those required only for an ISFSI facility, consistent with the permanent removal of all irradiated fuel from the TMI-1 SFPs.

## 2.0 REGULATORY EVALUATION

This safety evaluation assesses the acceptability of the proposed TMI-1 ISFSI-Only PDTS and the deletion of TSs that are no longer applicable. These PDTS would replace the current TMI-1 PDTS, which were approved by letter dated December 3, 2020 (Reference 9), after all the TMI-1 spent fuel has been transferred from the SFPs to the onsite ISFSI. The regulatory requirements and associated guidance on which the NRC based its acceptance and evaluation of the TMI-1 ISFSI-Only PDTS follows.

### 2.1 Applicable Regulations

In 1996, the NRC added regulations, including 10 CFR 50.36(c)(6) and (e) (Decommissioning of Nuclear Power Reactors, 61 Federal Register (FR) 39278 (July 29, 1996)), clarifying that existing TS for reactors that are not authorized to operate will remain effective until removed or modified by license amendment. The Commission explained (61 FR 39283):

In addition to continuing requirements that the licensee must comply with, such as 10 CFR part 20, regarding protection of workers and the public from radiation, and appendix B to 10 CFR part 50 regarding quality assurance, the final rule explicitly extends certain technical requirements to cover decommissioning

activities (e.g., Secs. 50.36, 50.36a, 50.36b, and Appendix I regarding technical specifications for surveillance requirements, administrative controls, control of effluents, and conditions to protect the environment). Thus, there will be a licensing basis appropriate to the activities undertaken using the Sec. 50.59 process during decommissioning. By maintaining certain requirements throughout the decommissioning process, licensees will be able to use the existing Sec. 50.59 process to perform decommissioning activities and thus provide comparable assurance that protection of the public health, safety, and the environment will not be compromised.

Accordingly, 10 CFR 50.36(e) states that the provisions 10 CFR 50.36 “apply to each nuclear reactor licensee whose authority to operate the reactor has been removed by license amendment, order, or regulation.” And 10 CFR 50.36(c)(6) states:

Decommissioning. This paragraph applies only to nuclear power reactor facilities that have submitted the certifications required by § 50.82(a)(1)<sup>[1]</sup> and to non-power reactor facilities which are not authorized to operate. Technical specifications involving safety limits, limiting safety system settings, and limiting control system settings; limiting conditions for operation; surveillance requirements; design features; and administrative controls will be developed on a case-by-case basis.

Under 10 CFR 50.92(a), determinations on whether to grant an applied-for license amendment are to be guided by the considerations that govern the issuance of initial licenses to the extent applicable and appropriate. Both the common standards for licenses in 10 CFR 50.40(a) (regarding, among other things, consideration of the operating procedures, the facility and equipment, the use of the facility, and other technical specifications, or the proposals) and those specifically for issuance of operating licenses in 10 CFR 50.57(a)(3), provide that there must be reasonable assurance that the activities at issue will not endanger the health and safety of the public, and that the applicant will comply with the Commission’s regulations.

Therefore, when deciding whether to amend the technical specifications for a permanently shut down and defueled reactor such as TMI-1, the staff considers, on a case-by-case basis, whether the proposed amended technical specifications, along with the operating procedures, the facility and equipment, and the use of the facility collectively provide reasonable assurance that the applicant will comply with the Commission’s regulations, and that the health and safety of the public will not be endangered.

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1 Pursuant to 10 CFR 50.82(a)(1)(i), “[w]hen a licensee has determined to permanently cease operations the licensee shall, within 30 days, submit a written certification to the NRC.” Per 10 CFR 50.82(a)(1)(ii), “[o]nce fuel has been permanently removed from the reactor vessel, the licensee shall submit a written certification to the NRC.” Per 10 CFR 50.82(a)(2), “[u]pon docketing of the certifications for permanent cessation of operations and permanent removal of fuel from the reactor vessel, ..., the 10 CFR part 50 license no longer authorizes operation of the reactor or emplacement or retention of fuel into the reactor vessel.”

### 3.0 TECHNICAL EVALUATION

The NRC staff has reviewed the licensee's regulatory and technical analyses in support of its proposed ISFSI-Only PDTs changes, as described in the license amendment request application dated December 16, 2020 (Reference 13), as supplemented on March 28, 2022 (Reference 14). The proposed amendment request deletes the portions of the TMI-1 PDTs that are no longer applicable to a permanently defueled facility with all irradiated fuel in dry storage within an ISFSI, while modifying the remaining portions of the PDTs to correspond to the permanently defueled, ISFSI-only condition.

#### 3.1 Background

TMI-1 has been shut down since September 2019. The licensee submitted certifications for permanent cessation of reactor operations at TMI-1 and permanent removal of fuel from the TMI-1 reactor vessel in September 2019 (Reference 15). As such, the licensee is authorized to possess and store irradiated nuclear fuel at the permanently shut down and defueled TMI-1 facility. After the TMI-1 reactor was shut down, all fuel assemblies were removed from the reactor vessel and placed in the TMI-1 SFPs. The licensee is currently in the process of transferring the remaining fuel from the TMI-1 SFPs to the onsite ISFSI. The spent fuel transfer campaign is anticipated to be complete in the summer of 2022. After all the irradiated fuel has been transferred from the SFPs to the TMI-1 ISFSI, many of the requirements in the current TMI-1 PDTs are inapplicable or are no longer appropriate.

In addition, on November 30, 2016 (Reference 16), the NRC approved Amendment 6 to standardized Certificate of Compliance (CoC) No. 1031 for the NAC International (NAC) MAGNASTOR® Cask System Spent Fuel Storage Casks. The NAC MAGNASTOR® casks are being used by Constellation Energy Generation, LLC to store spent fuel in the ISFSI. The 2016 revision to the CoC deleted the requirement to maintain the ability to return spent fuel to the SFPs for inspection. With the approval of the CoC amendment, there is no longer a requirement to return spent fuel to the SFPs, and therefore no need to maintain an SFP at sites that have been permanently shut down and defueled, with all fuel moved to dry storage. The licensee has proposed multiple changes to the TMI-1 PDTs to reflect this change in the CoC requirements for spent fuel storage once all fuel assemblies have been moved to the TMI-1 ISFSI. The movement of the fuel assemblies is expected to be completed by the end of summer 2022.

In the license amendment request dated December 16, 2020 (Reference 17), as supplemented on March 28, 2022 (Reference 18), the licensee requested that the NRC review and approve the proposed ISFSI-Only PDTs for TMI-1. Specifically, the proposed amendment would modify the TMI-1 RFOL and current PDTs to reflect the condition of all irradiated fuel being in dry storage within the onsite ISFSI at TMI-1, using casks certified for use under a general license issued in accordance with 10 CFR Part 72, "Licensing-Requirements for the Independent Storage of Spent Fuel and High-Level Radioactive Waste." The proposed amendment would also revise the TMI-1 PDTs to eliminate operational requirements, as well as certain design requirements involving storage of spent fuel, that will no longer be applicable following the transfer of the last spent fuel assembly from either SFP "a" or SFP "b" to the ISFSI.

In addition, the licensee proposed a new PDTs design requirement to prohibit storage of spent fuel in the TMI-1 SFPs. This change would align the proposed license amendment with the proposed TMI-1 ISFSI-Only Emergency Plan (References 19 and 20) and the TMI-1 ISFSI-Only Security Plan, which was approved via Amendment No. 303 to ROFL No. DPR-50

(Reference 21). These amendments are all intended to reflect the offload of spent fuel from the TMI-1 SFPs and transfer to the ISFSI. Further, the proposed amendment aligns with the conditions of the NAC MAGNASTOR® Cask System (CoC No. 1031), Amendment No. 6 (Reference 22), which no longer requires spent fuel to be returned to the SFPs.

Therefore, the proposed changes modify the scope of the TMI-1 PDTS to reflect the reduced scope of structures systems and components (SSCs) necessary to ensure plant safety with all spent fuel in dry cask storage within the ISFSI. As discussed in the licensee's amendment request, as supplemented, the remaining design basis accidents (DBAs) and transients analyzed in Chapter 6 of the TMI-1 Decommissioning Safety Analysis Report (DSAR) (Reference 23) are either: (1) no longer applicable for the condition where all spent nuclear fuel has been transferred to dry cask storage within an ISFSI, or (2) do not rely on SSCs or parameter limits described in the current PDTS. Each of the proposed changes is evaluated based on the premise that the changes will not take effect until after all the spent nuclear fuel has been transferred to the TMI-1 ISFSI.

However, the NRC staff notes that while changing references from the Updated Final Safety Analysis Report (UFSAR) to the DSAR during decommissioning is acceptable as a documentation terminology change, official recognition of the DSAR in the TMI-1 license, as requested in the March 28, 2022, supplemental letter, is not allowable. Because requirements related to the Final Safety Analysis Report (FSAR), as updated, are present in the NRC's regulations (e.g., 10 CFR 50.71(e)), renaming the UFSAR to a DSAR could introduce the potential for those requirements to inadvertently become inapplicable if the document name is changed. Therefore, the NRC staff will continue to officially recognize FSAR and UFSAR requirements while noting that what the licensee considers a DSAR continues to be held to the same requirements as the other documents.

### 3.2 Renewed Facility Operating License Changes

#### **License Condition 1.j.**

The licensee proposes to remove the requirements to maintain TMI-1 aging management program. The scope of the SSCs that are subject to Part 54 requirements, as set forth in 10 CFR 54.4, "Scope," do not apply to SSCs at a station with all irradiated fuel stored in the ISFSI. Under the ISFSI-only status, there will be no equipment remaining in use, as discussed in NUREG-1928, "Safety Evaluation Report Related to the License Renewal of Three Mile Island Nuclear Station, Unit 1" (Reference 24). As a result, none of the SSCs in 10 CFR 54.4 that are subject to Part 54 and its aging management program requirements remain relevant for a reactor that has permanently ceased operations. Removing this license condition would remove a requirement to maintain a program for equipment that is no longer in use. The NRC staff finds that removal of this License Condition is therefore acceptable. The word "DELETED" will be added.

#### **License Condition 2.c.(17)**

The licensee proposed to eliminate requirements for TMI-1 related to mitigation strategies. Specifically, License Condition 2.c.(17) requires the development and maintenance of strategies for addressing large fires and explosions which must address certain specified key areas. The NRC issued this License Condition on July 18, 2007 (Reference 25), to incorporate the requirements for the Interim Compensatory Measures (ICM) Order EA-02-026, Section B.5.b (Reference 26). Subsequently, 10 CFR 50.54(hh)(2) became effective on May 26, 2009

(74 FR 13969). The requirements in 10 CFR 50.54(hh) set forth mitigation strategies and response procedure requirements for loss of large areas of the plant due to explosions or fire. However, as stated in 10 CFR 50.54(hh)(3), this requirement does not apply to a defueled reactor that has submitted the certification of permanent removal of fuel under 10 CFR 50.82(a). On November 28, 2011 (Reference 27), the NRC issued a letter that rescinded Item B.5.b of ICM Order EA-02-26. Therefore, neither the ICM Order nor 10 CFR 50.54(hh) continue to apply to the permanently defueled and decommissioning TMI-1 facility.

In addition, 10 CFR 50.155, "Mitigation of beyond-design-basis events," Paragraph (a)(2)(iv) specifically excludes permanently shut down and defueled reactors. This section states that "holders of operating licenses or combined licenses for which the certifications described in Section 50.82(a)(1) or Section 52.110(a) of this chapter have been submitted need not meet the requirements of this section once all irradiated fuel has been permanently removed from the spent fuel pool(s)." Therefore, because 10 CFR 50.155 and 10 CFR 50.54(hh) no longer apply to the decommissioning TMI-1 facility following the transfer of all spent nuclear fuel from the SFPs to the ISFSI, and Item B.5.b of the ICM Order EA-02-26 has previously been rescinded, there is no longer a need for TMI-1 to develop and maintain mitigation strategies for addressing large fires and explosions. On this basis, the NRC staff finds the deletion of the License Condition regarding mitigation strategies acceptable. The word "DELETED" will be added.

#### **License Condition 2.c.(21)**

The licensee proposes to remove the requirements to maintain programs and activities for managing the effects of aging during the period of extended operation allowed under the renewed operating license. The licensee stated that the SSCs at TMI-1 are no longer within the scope of Part 54 requirements, as set forth in 10 CFR 54.4, because TMI stores its irradiated fuel in an ISFSI. The NRC staff notes that 10 CFR 54.4 does not contain specific requirements, but establishes the scope of SSCs covered by Part 54 license renewal activities, which includes maintenance of aging management programs. The NRC staff finds that SSCs at TMI-1 are no longer within the scope of 10 CFR 54.4 for the same reasons as stated in the evaluation for the removal of License Condition 1.j., above. Therefore, the NRC staff finds it acceptable to delete this License Condition because it is consistent with the requirements associated with a decommissioning plant. The requirement will be removed from the TMI-1 License Conditions and the word "DELETED" will be added.

#### **License Condition 2.c.(22)**

The licensee proposes to remove requirements related to a restriction from handling irradiated fuel in the SFPs for 60 days post permanent shutdown. The licensee states in the amendment request that the current wording was added to the license to address limiting the dose consequences in the Control Room, at the Exclusion Area Boundary, and within the Low Population Zone for 60 days after permanent shutdown. This restriction was added so that TMI-1 would stay within the allowable limits of 10 CFR 50.67, "Accident source term," without relying on any SSCs to remain functional for accident mitigation that were associated with the site's DBA fire hazard analysis.

The NRC staff finds it acceptable to remove License Condition 2.c.(22) because this requirement was applicable for the time period of 60 days after permanent shutdown of TMI-1. Since the licensee filed its 10 CFR 50.82(a)(1) certification on September 26, 2019, the 60-day time period has elapsed and this license condition no longer serves a function in the license and can therefore be removed. The word "DELETED" will be added.

### 3.3 Technical Specification Changes

The existing TMI-1 PDTs contain limits on conditions of operations (LCOs) that provide for appropriate functional capability of equipment required for the safe storage and management of irradiated fuel stored in an SFP. As such, the existing PDTs provide a level of control in excess of that needed for safe storage and management of irradiated fuel with fuel stored in an ISFSI. The majority of the existing PDTs are only applicable when irradiated fuel assemblies are within the SFPs. Once all the spent fuel assemblies have been transferred to the ISFSI, all remaining LCOs, as well as the associated Surveillance Requirements (SRs), will no longer be applicable. As such, the licensee has proposed to delete these unnecessary requirements from the TMI-1 license and PDTs. The ISFSI-Only PDTs proposed by the licensee will reflect the removal of all spent fuel from the TMI-1 SFPs; in addition, the licensee proposed to add a new PDTs design requirement that prohibits storage of spent fuel in the SFPs. The proposed changes will result in PDTs that will be applicable to TMI-1 after the last spent fuel assembly has been removed from either SFP "a" or SFP "b" and placed within the onsite ISFSI.

#### **Section 1.0**

The licensee proposed to delete in its entirety, as no longer needed, PDTs Section 1.0, "Definitions," which includes definitions of "Actions," "Certified Fuel Handler," "Non-Certified Fuel Handler," "Operable," and "Station, Unit, Plant and Facility." The purpose of these definitions in Section 1.0 is to provide uniform interpretation of frequently used terms in the PDTs. After the transfer of the spent fuel from the TMI-1 SFPs to the ISFSI is complete, the licensee proposes that the PDTs sections that reference these frequently used terms be eliminated or relocated. The NRC staff finds that since the terms would no longer be applicable after the spent fuel has been removed from the SFPs and transferred to the ISFSI, this change is administrative in nature and will not impact the continued safe storage and maintenance of spent fuel in the ISFSI. The NRC staff therefore finds it acceptable to delete Section 1.0 of the TMI-1 PDTs in its entirety.

#### **Section 3/4**

The licensee proposed to delete, in its entirety, Section 3/4, "Limiting Conditions for Operation and Surveillance Requirements," which contains LCOs and SRs that provide for appropriate functional capability of plant equipment required for the safe maintenance and storage of fuel assemblies in the SFPs. Removal of this section reflects the permanent removal of spent fuel from the TMI-1 SFPs. After transfer of spent fuel from the SFPs to the ISFSI, there will no longer be any applicable LCOs or SRs in the PDTs. The NRC staff notes that since TMI-1 will no longer store spent fuel in the SFPs after all the fuel is transferred to the ISFSI, these sections of the PDTs may be deleted in their entirety with no impact on the requirements for spent fuel safety and storage in the ISFSI-only configuration. Therefore, the NRC staff finds the proposed changes to be acceptable because the deletion of these sections will have no impact on the continued safe storage and maintenance of irradiated fuel in the TMI-1 ISFSI.

The licensee also proposed to delete PDTs Section 3/4.1, "Handling and Storage of Irradiated Fuel in the Spent Fuel Pool," which specifies the requirements to ensure that the minimum water level in the SFPs and the minimum boron concentration in the SFPs are maintained during movement of irradiated fuel assemblies in the SFPs. This section also contains requirements for storing spent fuel assemblies in the SFPs in a configuration that prevents inadvertent criticality. The NRC staff notes that since the licensee proposes to add a limitation

in the TMI-1 PDTS which prohibits storage of spent fuel in the SFPs, TMI-1 will no longer have the ability to store irradiated fuel in the SFPs after all the fuel is transferred to the ISFSI. Therefore, after permanent transfer of spent fuel from the TMI-1 SFPs to the ISFSI, there will no longer be a need for LCOs or SRs related to maintaining irradiated fuel in the SFPs, rendering the specifications included in PDTS Section 3/4.1 no longer applicable for the safe storage of spent fuel. The NRC staff finds the proposed changes to be acceptable because the deletion of these sections will have no impact on the continued safe storage and maintenance of irradiated fuel.

## **Section 5.0**

The licensee proposed to modify PDTS Section 5.1, "Site," by revising the description of the TMI site and deleting Figure 5-1, "Exelon Three Mile Island Nuclear Station." These changes would remove the excessive detail associated with the site boundary from Section 5.1.1 of the PDTS.

Specifically, the licensee proposes to modify PDTS Section 5.1.1 to state:

The description of the Three Mile Island Unit 1 site, including Exclusion/Restricted Area as defined in 10 CFR 100.3, is located in the Final Safety Analysis Report, as updated.

The licensee indicated that detailed information about the TMI site will remain within Section 2.1 of the TMI-1 DSAR, including Figure 5-1 (DSAR Figure 2.1-3). In addition, Section 2.a. of the TMI RFOL provides a detailed licensed facility description. The NRC staff confirmed the licensee's statements about existing descriptions of the TMI site in the UFSAR and the ROFL.

The licensee also proposed deletion of the "Applicability" and "Objective" sections of PDTS Section 5.1 because they no longer define a useable plant condition.

The NRC staff agrees with the licensee that the level of detail regarding the TMI site in PDTS Section 5.1 is not required by 10 CFR 50.36(c)(4) and also notes that a detailed site description is not discussed in the guidance in NUREG-1430, "Babcock and Wilcox Plants [Standardized Technical Specifications] STS, Volume 1, Specification," Revision 4 (Reference 31). Therefore, the NRC staff finds that modifying the TMI site description in PDTS Section 5.1 as proposed would be administrative in nature and will not impact the continued safe storage and maintenance of spent fuel in the TMI-1 ISFSI. For the same reason, removing the "Applicability" and "Objective" sections from PDTS Section 5.1 after all the irradiated fuel is transferred from the SFPs to the ISFSI is acceptable. As such, the revisions to PDTS Section 5.1 are acceptable.

The licensee also proposed to modify PDTS Section 5.2.1, "Spent Fuel Storage," which currently provides a description and requirements regarding prevention of criticality of spent fuel in the SFP storage racks, to reflect the condition of permanent removal of spent fuel from the SFPs. Specifically, the licensee has proposed the replacement of the contents of PDTS Section 5.2.1 with the statement: "Irradiated fuel shall not be stored in the "A" or "B" spent fuel pools."

Under this proposal, PDTS Section 5.2.1 would be revised to reflect that there will no longer be any fuel assemblies in the SFPs, and therefore no need for the associated PDTS requirements. PDTS Section 5.2.1 would also delete the associated SFP design references. A new design feature would be added stating that spent fuel shall not be stored in either SFP. This new design feature would document the premise on which the proposed amendment is based

(i.e., that spent fuel will no longer be stored in the SFPs). The NRC staff finds that the removal or change of these design feature descriptions will have no impact on the requirements for spent fuel safety and storage in the ISFSI-only configuration, and the proposed deletion is therefore acceptable. The NRC staff also finds that adding the stipulation that irradiated fuel shall not be stored in the “A” or “B” SFPs at TMI-1 is acceptable once the other SFP protection requirements are removed from the current PDTS.

## **Section 6.0**

Section 6.0, “Administrative Controls,” of the TMI-1 PDTS establishes the requirements associated with personnel, administrative programs and procedures, and reporting requirements. The licensee has proposed to revise this section of the PDTS to include only those administrative requirements that are applicable to the facility when all of the spent fuel is in the ISFSI. Therefore, all of the sections in PDTS Section 6.0, with the exception of Sections 6.2.1(d), 6.9, 6.9.3, and 6.9.3.1, are being deleted in their entirety, with the pertinent information relocated to the licensee’s Quality Assurance Program (QAP).

The NRC staff relied on NRC Administrative Letter (AL) 95-06, “Relocation of Technical Specification Administrative Controls Related to Quality Assurance,” in conducting its evaluation of the licensee’s request regarding TMI-1 Administrative Controls. AL 95-06 provides guidance to licensees requesting amendments that relocate administrative controls from the TS to NRC-approved QAP descriptions, where subsequent changes are controlled pursuant to 10 CFR 50.54(a). AL 95-06 provides specific guidance in the areas of:

- independent safety engineering groups
- reviews and audits
- procedure review process
- records and record retention

Some of the TS relocations requested by the licensee as part of the establishment of ISFSI-Only PDTS for TMI-1 are specifically discussed in NRC AL 95-06, while others are similar in nature to those discussed in the AL. Relocations not specifically discussed in AL 95-06 are evaluated with respect to the appropriateness of the relocation.

In addition, AL 95-06 states that for the procedure review process, TS administrative controls relocation should be to a quality assurance (QA) plan that contains a commitment to process procedures and procedure changes in accordance with an accepted technical standard. The NRC staff determined that relocation of site-specific TMI-1 PDTS requirements regarding the establishment, implementation, and maintenance of procedures to the QA plan remains acceptable because the change control process of 10 CFR 50.54(a) will govern any future changes to these requirements, as described in AL 95-06. This provides adequate administrative controls for the facility when all spent fuel is located within the ISFSI.

The licensee proposed to remove PDTS Section 6.1, “Responsibility,” which provides a description of requirements for the plant manager and the operations shift manager. The responsibilities of the plant manager will be deleted from the PDTS and relocated verbatim to the TMI-1 Decommissioning QAP (DQAP). With removal of all of the spent fuel from the SFPs, the need for a shift manager for spent fuel management no longer exists. The position of shift manager is a holdover from supervising multiple functions at an operating nuclear power plant. With the limited requirements for supervision of the passive fuel storage at the ISFSI, or with

respect to the decommissioning of the former power generation facility, the shift manager position and the shift command function are no longer necessary. Relocating these responsibilities to the DQAP is consistent with AL 95-06. Therefore, this change is administrative in nature and will not impact the continued safe storage and maintenance of spent fuel in the ISFSI. Further, this change would render the PDTS consistent with the level of supervisory responsibilities when all of the spent fuel is stored in the TMI-1 ISFSI. As such, the NRC staff finds the removal of PDTS Section 6.1 and its relocation to the DQAP acceptable.

The licensee proposed to eliminate most and relocate some of the requirements in PDTS Section 6.2, "Organization," to the DQAP. Section 6.2 of the PDTS provides a description of, and requirements for, onsite and offsite organizations and facility staffing, includes lines of authority and staff responsibilities, and specifies requirements for fuel handling operations and supervision, including the associated QA functions and responsibilities.

PDTS Section 6.2.1, "Onsite and Offsite Organizations," establishes the requirements for plant lines of authority, responsibilities, and requirements for organizational freedom for certain personnel including those performing health physics or QA functions. The licensee proposed to delete the introduction to PDTS Section 6.2 and modify the portion of PDTS Section 6.2.1(a) related to plant lines of authority, based on the existence of equivalent organizational requirements in Section 1 of the DQAP regarding the Corporate Organization. The licensee also proposed to revise Section 6.2.1(a) to state that the station management is described in DQAP Section 1.3, "Station Management," and to change the reference to documentation being included in the Updated Final Safety Analysis Report (UFSAR) to the DSAR (Reference 33). The requirements from PDTS Sections 6.2.1(b) and 6.2.1(c) are already captured in the DQAP.

PDTS Section 6.2.1(d) provides requirements for organizational freedom of the Certified Fuel Handler (CFH) trainers, as well as health physics and QA personnel. The licensee proposed to eliminate the portion of PDTS Section 6.2.1(d) pertaining to CFH trainers. The remainder of PDTS Section 6.2.1 will be deleted from the PDTS and relocated to the DQAP to provide an equivalent description of the requirements for organizational freedom of the health physics and QA personnel. Relocating the remaining responsibilities to the DQAP is consistent with AL 95-06. Therefore, the proposed deletions and relocations to the DQAP of the PDTS Section 6.2.1 requirements will have no impact on safe storage and maintenance of spent fuel in the ISFSI and are therefore acceptable to the NRC staff.

PDTS Section 6.2.2, "Facility Staff," establishes the requirements for personnel required at the plant to assure safe facility operation and the safety of the nuclear fuel. The licensee proposed to delete PDTS Section 6.2.2 in its entirety. This section provided for adequate staff to ensure the safe storage and movement of fuel, including CFHs and an individual qualified in radiation protection procedures. Following the transfer of all spent fuel to the ISFSI, and the new provision in PDTS Section 5.2.1 prohibiting storage of fuel in the SFPs, there will no longer be a need for CFHs or the other specified personnel requirements in this section because storage of spent fuel in the SFPs will be prohibited. Therefore, the proposed deletions would have no impact on safe storage and maintenance of spent fuel in the ISFSI, and are consistent with AL 95-06, and are therefore acceptable to the NRC staff.

PDTS Section 6.3, "Facility Staff Qualifications," establishes the minimum requirements for staff qualification. American National Standards Institute Standard N18.1-1971, "Selection and Training of Nuclear Power Plant Personnel," contains the minimum requirements associated with facility staff qualifications. The licensee proposed to eliminate Section 6.3 entirely from the PDTS and relocate it to the DQAP to provide an equivalent description of staff qualification

requirements. Relocating these requirements to the TMI-1 DQAP will have no impact on safe storage and maintenance of spent fuel in the ISFSI and is consistent with AL 95-06. Therefore, the proposed change is acceptable to the NRC staff.

The licensee also proposed to delete PDTS Section 6.3.2, which specifies requirements for a CFH training program. The ISFSI is a passive system, and upon removal of the spent fuel from the TMI-1 SFPs, there are no remaining spent fuel assemblies to be monitored and there are no credible spent fuel related accidents that require the actions of a CFH to prevent occurrence or mitigate the consequences of such accidents. As such, following the transfer of all spent fuel to the TMI-1 ISFSI, and the new PDTS Section 5.2.1 prohibition against storing spent fuel in the SFPs, there will no longer be a need for CFHs, which eliminates the need for the associated training program. Further, the proposed deletion will have no impact on safe storage and maintenance of spent fuel in the ISFSI. Therefore, the proposed change is acceptable.

In PDTS Section 6.8, "Procedures and Programs," addresses requirements for procedures and various programs listed in certain PDTS sections. The licensee proposed to relocate the requirements of this section to the DQAP, except for PDTS Section 6.8.1 (j), which was previously deleted from the PDTS. Similarly, the licensee requested that PDTS Sections 6.8.2, 6.8.3, 6.8.3(a), and 6.8.3(c), which are associated with changes to written procedures, be relocated to the DQAP with corresponding modifications made to the remaining text to address the appropriate DQAP section number addressing written procedures. Relocating these requirements to the DQAP is consistent with AL 95-06, and is therefore acceptable.

The licensee proposed to change PDTS Section 6.8.3(b) to remove the requirement for a CFH to review any temporary changes to procedures which may affect the operational status of facility systems or equipment. Following the transfer of all irradiated fuel to the ISFSI, and the new PDTS Section 5.2.1 prohibition against storing spent fuel in the SFPs, there will no longer be a need for CFHs, and the facility will no longer have any operational SSCs necessary to safely handle fuel in the SFPs. Therefore, there is no longer a need for the requirement to have a CFH provide an operational review. Relocating these requirements to the TMI-1 DQAP will have no impact on safe storage and maintenance of spent fuel in the ISFSI and is consistent with AL 95-06. Therefore, the proposed change is acceptable to the NRC staff.

The licensee proposed to delete PDTS Section 6.8.4(a), "Radiological Environmental Monitoring Program," in its entirety and relocate this requirement to the DQAP. PDTS Section 6.8.4(a) specifies the requirements and controls for site effluents. The intent of this section is to ensure that the TMI-1 Offsite Dose Calculation Manual (ODCM) continues to meet the requirements of:

- 40 CFR Part 190, "Environmental Radiation Protection Standards for Nuclear Power Operations"
- 10 CFR Part 20, "Standards for Protection Against Radiation"
- 10 CFR 50.36a, "Technical Specifications on Effluents from Nuclear Power Reactors"
- 10 CFR Part 50, Appendix I, "Numerical Guides for Design Objectives and LCOs to Meet the Criterion 'As Low as is Reasonably Achievable' [ALARA] for Radioactive Material in Light-Water-Cooled Nuclear Power Reactor Effluents"

Upon relocation of the information contained in PDTS Section 6.8.4(a), the licensee stated that the requirement for a Radiological Environmental Monitoring Program will continue to be maintained in accordance with 10 CFR 50.54(a). This will provide adequate regulatory control for the facility with all spent fuel located within the ISFSI. The relocation of these administrative

requirements to the DQAP is consistent with AL 95-06 and will have no impact on the safe storage of spent fuel in the ISFSI. Therefore, the proposed change is acceptable.

PDTS Section 6.8.4(b), "Radioactive Effluent Controls Program," specifies the requirements for the program to control radioactive effluents and to maintain doses to the public to within the specified limits and ALARA. The licensee proposed to relocate these radioactive effluent control and public dose requirements to the TMI-1 DQAP with the following exceptions:

- References to noble gases in PDTS Section 6.8.4.b(7)(a) will be deleted and will not be relocated to the TMI-1 DQAP because there will no longer be a requirement to monitor for noble gases released from the facility after all spent fuel is transferred to the ISFSI and contained within dry storage casks.
- References to noble gases in PDTS Section 6.8.4.b(8) will be deleted and will not be relocated to the TMI-1 DQAP because there will no longer be a requirement to monitor for noble gases released from the facility after all spent fuel is transferred to the ISFSI and contained within dry storage casks.

The intent of this section is to ensure that the Radioactive Effluent Controls Program continues to meet the requirements of 40 CFR Part 190, 10 CFR Part 20, 10 CFR 50.36(a), and 10 CFR Part 50, Appendix I. Upon modification and relocation of the information contained in PDTS Section 6.8.4(b), the licensee stated that the requirement for a Radioactive Effluent Controls Program will continue to be maintained in accordance with 10 CFR 50.54(a). This will provide adequate regulatory control for the facility with all spent fuel located within the ISFSI. The relocation of these administrative controls to the DQAP is consistent with AL 95-06 and will have no impact on safe storage and maintenance of irradiated fuel in the ISFSI. Therefore, the proposed change is acceptable to the NRC staff.

PDTS Section 6.9, "Reporting Requirements," provides a description of and requirements for reports that are to be submitted in accordance with 10 CFR 50.4, "Written communications." The licensee proposed to delete part of this section from the PDTS and relocate the requirements for PDTS Sections 6.9.1, "Routine Reports," and 6.9.2, "Annual Radiological Environmental Operating Report," to the TMI-1 DQAP. After these administrative controls are relocated to the DQAP, any future changes will continue to be controlled in accordance with 10 CFR 50.54(a). This will provide adequate regulatory control for the facility with all irradiated fuel located within the ISFSI. The relocation of these administrative controls for reporting requirements to the DQAP is consistent with AL 95-06 and will have no impact on safe storage and maintenance of irradiated fuel in the ISFSI. Therefore, the proposed change is acceptable.

However, references to PDTS Section 6.9.3, "Annual Radioactive Effluent Release Report." will not be deleted from the PDTS, as originally requested by the licensee; these will be retained, in accordance with the licensee's supplement dated March 28, 2022 (Reference 34), submitted in response to the NRC staff's email on March 9, 2021 (Reference 35). PDTS Section 6.9.3 establishes the requirements for the content and submission frequency for a Radioactive Effluent Release Report. This specification must remain in the PDTS because Constellation Energy, LLC holds a Part 50 license for TMI-1, and is therefore required to continue implementing this PDTS in accordance with 10 CFR 50.36a(a)(2).

Finally, the licensee proposed to renumber PDTS Section 6.9 to Section 6.1 to reflect the proposed deletion of earlier PDTS requirements and sections. This renumbering would be an administrative change. The NRC staff finds that renumbering the PDTS sections is

administrative in nature, will have no impact on the safe storage and maintenance of spent fuel in the ISFSI, and therefore the proposed change is acceptable.

The licensee proposed to delete in its entirety PDS Section 6.10, "Records Retention." The licensee stated that these requirements are already located in the Section E.2 of the DQAP. The NRC staff confirmed the record retention requirements are currently located in the TMI-1 DQAP and concludes that there would therefore be no reduction in the record retention requirements. In addition, the location of these requirements in the TMI-1 DQAP is consistent with AL 95-06. Therefore, the proposed deletion will have no impact on the safe storage and maintenance of spent fuel in the ISFSI, and is therefore acceptable to the NRC staff.

The licensee proposed to retain PDS Section 6.12, "High Radiation Area," which provides a description of, and requirements regarding, controls applied to high radiation areas. These requirements meet the intent of the controls required by 10 CFR 20.1601(a) and (b) (as provided in 10 CFR 20.1601(c)), because the requirements will remain applicable with all spent fuel stored in the TMI-1 ISFSI. The licensee also proposed to renumber this PDS section from Section 6.12 to 6.2 due to the proposed deletion of previous PDS sections. In addition, the licensee will repaginate Section 6.2 to begin on Page 6-1 with no additional changes. The proposed renumbering and repagination are administrative in nature, will have no impact on the safe storage and maintenance of spent fuel in the ISFSI, and are therefore acceptable.

PDS Section 6.14 "Offsite Dose Calculation Manual (ODCM)," specifies how to document, review, and approve changes to the ODCM. The licensee proposed to delete these requirements from the PDS and relocate them to the TMI-1 DQAP. After the administrative controls are relocated to the DQAP, any future changes will continue to be controlled in accordance with 10 CFR 50.54(a). This will provide adequate regulatory control for the facility with all spent fuel located within the ISFSI. The relocation of these administrative requirements to the DQAP is consistent with AL 95-06 and will have no impact on the safe storage and maintenance of spent fuel in the ISFSI. Therefore, the proposed change is acceptable.

The licensee proposed to delete PDS Section 6.18, "Technical Specifications (TS) Bases Control Program," in its entirety. PDS Section 6.18 establishes the requirements to update and maintain the bases for the TMI-1 TS. Currently, the TMI-1 TS Bases are all related to storage of spent fuel in the SFPs; specifically, the bases relate to the SFP requirements in Section 3/4.1 of the current PDS, which are proposed for deletion, as described above. Following transfer of all spent fuel to the TMI-1 ISFSI, the SFPs will no longer be used for spent fuel storage, and spent fuel will be prohibited from being stored the SFPs in accordance with the proposed PDS Section 5.2.1. As such, all of the bases for the existing PDS are being eliminated along with the proposed PDS deletions discussed above. Because the TS Bases will be deleted, there will no longer be a need for a TS Bases control program. Therefore, the NRC staff finds the proposed deletion of these requirements will have no impact on the safe storage and maintenance of spent fuel in the ISFSI and is therefore acceptable.

### 3.4 Conclusion

Based on the NRC staff's review of the licensee's application dated December 16, 2020, as supplemented on March 28, 2022, and the proposed changes to the TMI-1 RFOL and PDS to reflect the removal of all spent nuclear fuel from the TMI-1 SFPs and transfer to dry cask storage in an onsite ISFSI, the NRC staff finds that the proposed changes meet the standards in 10 CFR 50.40(a) and 10 CFR 50.57(a)(3). Further, the changes proposed by this license amendment request will delete requirements that will no longer be applicable following the

transfer of all spent nuclear fuel to the TMI-1 ISFSI, as well as relocate administrative controls to licensee-controlled programs in a manner consistent with NRC AL 95-06. On the basis of its review, the NRC staff concludes that the licensee's request adequately addresses the applicable regulatory safety requirements for a permanently shut down nuclear power facility with all spent nuclear fuel transferred to dry cask storage in an ISFSI. Therefore, the NRC staff concludes that the licensee's proposed TMI-1 ISFSI-Only PDTS is acceptable.

#### 4.0 ENVIRONMENTAL CONSIDERATION

The amendment to the TMI-1 RFOL and PDTS includes changes to requirements with respect to installation or use of a facility component located within the protected area, changes to SRs, and changes to recordkeeping, reporting, or administrative procedures or requirements. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, as published in the *Federal Register* on April 20, 2021 (86 FR 20526), and there have been no public comments on this finding. Accordingly, the TMI-1 ISFSI-Only PDTS amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22 (c)(9) and 10 CFR 51.22(c)(10)(ii). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

#### 5.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Commonwealth of Pennsylvania official was notified of the proposed issuance of the amendment on March 9, 2022 (Reference 37). The Commonwealth of Pennsylvania responded on March 17, 2022 (Reference 38), stating:

The PADEP [Pennsylvania Department of Environmental Protection] has no comments on the NRC's consideration to finalize the No Significant Hazards Consideration (NSHC) determination for this proceeding and that it would meet the eligibility criteria for categorical exclusion from environmental review set forth in 10 CFR 51.22(c)(9).

#### 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

#### 7.0 REFERENCES

1. Letter from J. Bradley Fewell (Exelon Generation Company, LLC) to U.S. Nuclear Regulatory Commission, "Certification of Permanent Cessation of Power Operations for Three Mile Island Nuclear Station, Unit 1," dated June 20, 2017 (ADAMS Accession No. ML17171A151).

2. Letter from Michael P. Gallagher (Exelon Generation Company, LLC), to U.S. Nuclear Regulatory Commission, "Certification of Permanent Removal of Fuel from the Reactor Vessel for Three Mile Island Nuclear Station, Unit 1," dated September 26, 2019 (Accession No. ML19269E480).
3. Letter from Michael P. Gallagher (Exelon Generation Company, LLC), to U.S. Nuclear Regulatory Commission, "Three Mile Island Nuclear Station, Unit 1 - Post-Shutdown Decommissioning Activities Report," dated April 5, 2019 (ADAMS Accession No. ML19095A041).
4. Letter from B. A. Purnell, U.S. Nuclear Regulatory Commission, to D.P. Rhoades, Exelon Generation Company, LLC., "Exelon Generation Company, LLC - Letter with Enclosure 4, Safety Evaluation for Transfer of Licenses and Draft Conforming License Amendments (Public Version)," dated November 16, 2021 (ADAMS Accession No. ML21277A248).
5. Letter from D.M. Reddick, Constellation Energy Generation, LLC, to U.S. Nuclear Regulatory Commission, "Notification of Completion of License Transfer and Request to Continue Processing Pending NRC Actions," dated February 1, 2022 (ADAMS Accession No. ML22032A333).
6. Letter from B.A. Purnell, U.S. Nuclear Regulatory Commission, to E. Carr and D.P. Rhoades, from Constellation Energy Generation, LLC; Constellation Nuclear; PSEG Nuclear, LLC, "Braidwood, Byron, Calvert Cliffs, Clinton, Dresden, Fitzpatrick, LaSalle, Limerick, Nine Mile, Peach Bottom, Quad Cities, Ginna, Salem, Three Mile - Issuance of Amendments Related to Order Approving Transfer of Licenses (EPID L-2022-LLM-0000) -Enclosure 1," dated February 2, 2022 (ADAMS Accession No. ML22021B660).
7. Letter from M.P. Gallagher, Exelon Generation Company, LLC, to U.S. Nuclear Regulatory Commission, "Three Mile Island Nuclear Station, Unit 1 - License Amendment Request, Proposed Revision to License Conditions and Permanently Defueled Technical Specifications for Permanent Removal of Irradiated Fuel from the Spent Fuel Pool (ISFSI-Only Tech Specs)," dated December 16, 2020 (ADAMS Accession No. ML20351A451).
8. Letter from David P. Helker, Constellation Energy Generation to Document Control, Supplemental Information Supporting License Amendment Request - Proposed Revision to License Conditions and Permanently Defueled Technical Specifications for Permanent Removal of Irradiated Fuel from the Spent Fuel Pool (ISFSI-Only Technical Specifications), dated March 28, 2022 (ADAMS Accession No. ML22087A394).
9. Smith, T., U.S. Nuclear Regulatory Commission, letter to Bryan C. Hanson, Exelon Generation Company, "Three Mile Island Nuclear Station, Unit 1 - Issuance of Amendment No. 300 RE: Deletion of Permanently Defueled Technical Specification 3/4.1.4, Handling of Irradiated Fuel with Fuel Handling Building Crane (EPID L-2019-LLA-0250)" dated, December 3, 2020 (ADAMS Accession No. ML20297A635).
10. NRC Final Rule, "Technical Specification for Facility Licenses; Safety Analysis Reports," dated December 17, 1968 (33 FR 18610).

11. NRC Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors, dated July 22, 1993 (58 FR 39132).
12. NRC Administrative Letter (AL) 95-06, "Relocation of Technical Specification Administrative Controls Related to Quality Assurance," dated December 12, 1995.
13. Ibid. Ref. 7.
14. Ibid. Ref. 8.
15. Ibid. Ref. 2.
16. Letter from John M. Goshen (U.S. Nuclear Regulatory Commission) to Wren Fowler (NAC International), "Issuance of Certificate of Compliance No. 1031, Amendment No. 6 for the MAGNASTOR® Cask System (CAC NO. L25069)," dated November 30, 2016 (ADAMS Accession No ML16319A068).
17. Ibid. Ref. 7.
18. Ibid. Ref. 8.
19. Letter from M.P. Gallagher, Exelon Generation Company, LLC, to U.S. Nuclear Regulatory Commission, "License Amendment Request - Proposed Changes to the Three Mile Island Emergency Plan for Independent Spent Fuel Storage Installation Only Emergency Plan and Emergency Action Level Scheme," dated March 4, 2021 (ADAMS Accession No. ML21063A446).
20. Letter from D.P. Helker, Exelon Generation Company, LLC, to U.S. Nuclear Regulatory Commission, "Supplement to License Amendment Request – 'Proposed Changes to the Three Mile Island Emergency Plan for Independent Spent Fuel Storage Installation Only Emergency Plan and Emergency Action Level Scheme,'" dated August 30, 2021 (ADAMS Accession No. ML21242A259).
21. Letter from M.P. Gallagher, Exelon Generation Company, LLC, to U.S. Nuclear Regulatory Commission, "License Amendment Request - Revised Three Mile Island Nuclear Station License in Support of Independent Spent Fuel Storage Installation (ISFSI) Only Security Plan," dated April 29, 2021 (ADAMS Accession No. ML21145A183).
22. Ibid. Ref. 16.
23. Exelon Generation Co, LLC, Technical Report, "Three Mile Island Nuclear Station, Unit 1, Decommissioning Safety Analysis Report (DSAR), Revision 0, Chapter 6, Safety Analysis," dated March 24, 2020 (ADAMS Accession No. ML20108F562).
24. NUREG-1928, "Safety Evaluation Report Related to the License Renewal of Three Mile Island Nuclear Station, Unit 1," dated October 2009 (ADAMS Accession No. ML092950458).
25. Letter form Peter J. Bamford (U.S. Nuclear Regulatory Commission) to Christopher M. Crane (AmerGen Energy Company, LLC), "Three Mile Island Nuclear

- Station, Unit 1 - Conforming License Amendment to Incorporate the Mitigation Strategies Required by Section B.5.b. of Commission Order EA-02-026 (TAC NO. MD4515)," dated July 18, 2007 (ADAMS Accession No. ML071980016).
26. The NRC issued Order EA-02-026, "Order for Interim Safeguards and Security Compensatory Measures," dated February 25, 2002 (ADAMS Accession No. ML020510635).
  27. Letter from Eric J. Leads (U.S. Nuclear Regulatory Commission) to Holders of Licenses for Operating Power Reactors, "Rescission or Partial Rescission of Certain Power Reactor Security Orders Applicable to Nuclear Power Plants," dated November 28, 2011 (ADAMS Accession No. ML111220447).
  28. Letter from Michael P. Gallagher (Exelon Generation Company, LLC), to U.S. Nuclear Regulatory Commission, "License Amendment Request – Proposed Defueled Technical Specifications and Revised License Conditions for Permanently Defueled Condition," dated July 25, 2018 (ADAMS Accession No. ML18206A545).
  29. Letter from Michael P. Gallagher (Exelon Generation Company, LLC), to U.S. Nuclear Regulatory Commission, "Supplement - License Amendment Request - Proposed Defueled Technical Specifications and Revised License Conditions for Permanently Defueled Condition," dated March 6, 2019 (ADAMS Accession No. ML19065A217).
  30. Ibid. Ref 24.
  31. NUREG-1430, "Standard Technical Specifications — Babcock and Wilcox Plants," Revision 4, dated April 2012 (ADAMS Accession Nos. ML12100A177 and ML12100A178).
  32. Ibid. Ref 24.
  33. Ibid. Ref 8.
  34. Ibid. Ref 8.
  35. Ibid. Ref 8.
  36. Email from A. Snyder, U.S. Nuclear Regulatory Commission, to Craig Smith, Constellation Energy Generation, Clarification Questions, dated March 9, 2022 (ADAMS Accession No. ML22090A023).
  37. Email from A. Snyder, U.S. Nuclear Regulatory Commission, to S. Acker, Commonwealth of Pennsylvania re: TMI, Unit 1 - Commonwealth of Pennsylvania Request for Consultation on the proposed Revision to the License and the Permanently Defueled Technical Specifications to Align to the Requirements for Permanent Removal of Spent Fuel from the Spent Fuel Pools," dated March 9, 2022 (ADAMS Accession No. ML22090A014).

38. Email from A. Snyder, U.S. Nuclear Regulatory Commission, to S. Acker, Commonwealth of Pennsylvania re: TMI, Unit 1 - Commonwealth of Pennsylvania Response to Request for Consultation on the proposed Revision to the License and the Permanently Defueled Technical Specifications to Align to the Requirements for Permanent Removal of Spent Fuel from the Spent Fuel Pools,” dated March 17, 2022 (ADAMS Accession No. ML22068A146).

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