

From: [Acker, Stephen](#)
To: [Snyder, Amy](#)
Subject: [External_Sender] RE: [External] State Consultation- License Amendment Request TMI-1 in Support of the ISFSI Only Tech Spec License Amendment Request
Date: Thursday, March 17, 2022 11:24:08 AM

Dear Ms. Snyder,

The Commonwealth of Pennsylvania, Department of Environmental Protection (PADEP) has reviewed the Exelon Generation Company, LLC request to revise the RFL and the Permanently Defueled Technical Specifications (PDTs) to align with those required for an Independent Spent Fuel Storage Installation (ISFSI) only condition for TMI-1. We have no comments on this action.

The PADEP 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).

Thank you for the opportunity to review.

Respectfully,

Stephen Acker
Chief Nuclear Safety Division
PADEP/Bureau of Radiation Protection

From: Snyder, Amy <Amy.Snyder@nrc.gov>
Sent: Wednesday, March 9, 2022 11:33 AM
To: Acker, Stephen <steacker@pa.gov>
Cc: Watson, Bruce <Bruce.Watson@nrc.gov>; Dimitriadis, Anthony <Anthony.Dimitriadis@nrc.gov>; Tift, Doug <Doug.Tift@nrc.gov>; Smith, Craig W:(Constellation Nuclear) <Craig.Smith3@constellation.com>
Subject: [External] State Consultation- License Amendment Request TMI-1 in Support of the ISFSI Only Tech Spec License Amendment Request

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Stephen Acker, Chief, Nuclear Safety Division
Pennsylvania Department of Environmental Protection
Bureau of Radiation Protection
Rachel Carson State Office Building
P.O. Box 8469
Harrisburg, PA 17105-8469-8469

Dear Mr. Acker,

On November 16, 2021, the U.S. Nuclear Regulatory Commission (NRC) issued an Order Approving Transfer of Exelon Generation Company, LLC Fleet Licenses and Draft Conforming License Amendments (Agencywide Documents Access and Management System [ADAMS] Accession No. [ML21277A248](#)), On February 1, 2022, Constellation Energy, LLC notified the NRC that the Exelon Generation Company, LLC changed its name to Constellation Energy Generation, LLC and the indirect transfer of the cited licenses, to include Three Mile Island Nuclear Station, Unit 1 (TMI-1), located in Dauphin County, PA, was completed on February 1, 2022 (ADAMS Accession No. [ML22032A333](#)). Also, in the February 1, 2022 letter, Constellation Energy, LLC 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.”

By letter dated December 16, 2020 (ADAMS Accession No. [ML20351A451](#)) Exelon Generation Company, LLC requested amendments to the Renewed Facility License (RFL) and Appendix A, Technical Specifications (TS), of RFL No. DPR-50 for TMI-1.

The proposed amendment would revise the RFL and the Permanently Defueled Technical Specifications (PDTS) to align with those required for an Independent Spent Fuel Storage Installation (ISFSI) only, consistent with the permanent removal of all irradiated fuel from the Spent Fuel Pool (SFP). These proposed changes would more fully reflect the permanently shutdown status of the decommissioning facility, as well as the reduced scope of structures, systems, and components necessary to ensure plant safety once all spent fuel has been permanently moved to the ISFSI. If approved, the amendment will be implemented within ninety (90) days following Constellation Energy’s submittal of written notification to the NRC that all TMI-1 irradiated nuclear fuel assemblies have been transferred out of the SFP and placed in dry storage within the ISFSI.

Per 10 CFR 50.91(a)(7)(b), I am consulting with you. The NRC’s proposed No Significant Hazards Consideration (NSHC) determination for this proceeding was published in the *Federal Register* Vol. 86, No. 15 on Tuesday, January 26, 2021. I have attached a courtesy copy of the *Federal Register* Notice for your use. The licensee’s NSHC is located in its application on pages 42 of 48 through 45 of 48 of Attachment 1 (ADAMS Accession [ML20351A451](#)).

We are considering finalizing this proposed determination. Also, we believe this amendment request would meet the eligibility criteria for categorical exclusion from environmental review set forth in 10 CFR 51.22(c)(9).

If the Commonwealth of Pennsylvania has comments on the ISFSI Only Technical Specification license amendment request for TMI-1 or our proposed no significant hazards consideration determination, please e-mail me your comments by Close of Business March 23, 2022. If you do not have comments, I would appreciate it if you would please provide an email that you have no comments by COB March 23, 2022.

If you have any questions, please contact me. My contact information is below.

Thank you.

A

Amy

Amy Snyder, Senior Project Manager
Reactor Decommissioning Branch (RDB)
Division of Decommissioning, Uranium Recovery, and Waste Programs (DUWP)
Office of Nuclear Material Safety and Safeguards (NMSS)
U.S. Nuclear Regulatory Commission (NRC)
Washington, D.C. 20555

 Office: (301) 415-6822

 Fax: (301) 415-5369

 Mail Stop: T5-A10

 Location: T5-D48

 E-mail: amy.snyder@nrc.gov