REQUEST FOR ADDITIONAL INFORMATION RELATED TO

EXEMPTION REQUEST FROM EMERGENCY PLANNING

HOLTEC DECOMMISSIONING INTERNATIONAL, LLC

INDIAN POINT ENERGY CENTER

DOCKET NOS. 50-003, 50-247 AND 50-286

By letter dated December 22, 2021, as supplemented by letter dated February 1, 2022 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21356B693 and ML22032A117, respectively), Holtec Decommissioning International, LLC (HDI), on behalf of Holtec Indian Point 2, LLC (IP1 and IP2) and Holtec Indian Point 3, LLC (IP3), collectively referred to as Indian Point Energy Center (IPEC), requested exemptions from certain emergency preparedness and planning (EP) requirements of Part 50, "Domestic Licensing of Production and Utilization Facilities," to Title 10, "Energy," of the *Code of Federal Regulations* (10 CFR) for the IPEC.

The NRC staff is reviewing the exemption requests and has determined that additional information is required to complete its review. Below is the request for additional information (RAI).

RAI 1.

Requirement:

- 10 CFR 50.47(b)(4), as proposed to be exempted, states, in part: "A standard emergency classification and action level scheme, the bases of which include facility system and effluent parameters, is in use by the nuclear facility licensee…."
- 10 CFR Part 50, Appendix E, Section IV.B, states, in part: "The means to be used for determining the magnitude of, and for continually assessing the impact of, the release of radioactive materials shall be described, including emergency action levels that are to be used as criteria for determining the need for notification…."
- Associated guidance in NUREG-0654, Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants (FEMA-REP-1)," as modified by NSIR/DPR/ISG-02, "Emergency Planning Exemption Requests for Decommissioning Nuclear Power Plants," Evaluation Criterion D.2, states: "The initiating conditions shall include all postulated accidents for the nuclear facility."

Issue: The regulation wording for item #21 in Table 2, "Exemptions Requested from 10 CFR 50, Appendix E," of the Enclosure, "Request for Exemptions from Certain Emergency Planning Requirements of 10 CFR 50.47(b), 10 CFR 50.47(c)(2), and 10 CFR Part 50, Appendix E," states in part,

> The emergency classes defined shall include: (1) Notification of unusual events, (2) alert, ~~(3) site area emergency, and (4) general emergency~~. These classes are further discussed in NUREG–0654/FEMA–REP–1.

Additionally, Section 5.2, "Consequences of Design Basis Events," of the Enclosure states in

part,

> The analysis concludes that without crediting any mitigating systems or the Plant Auxiliary Building (PAB) ventilation system, the calculated TEDE to the Control Room is less than the limit set forth in 10 CFR 50.67 and the whole-body dose value of 500 millirem (mrem) at the EAB. The dose consequences from a waste gas tank decay tank rupture are less than the dose consequences following an FHA and meet the applicable radiological dose criteria at the Control Room, EAB, and Low Population Zone (LPZ) (Reference 25).

However, the NRC staff reviewed the letter dated April 28, 2020, "Indian Point Nuclear Generating Unit No. 2 - Issuance of Amendment No. 294 Re: Permanently Defueled Technical Specifications (EPID L-2019-LLA-0079)" (ADAMS Accession No. ML20081J402), and it states in part,

> The calculated radiological consequences following a waste gas decay tank rupture without credit for any mitigating systems or the primary auxiliary building ventilation system post shutdown are as follows:
>
> - Control Room – Whole Body Dose 0.77 rem – under limit of 5 rem;
> - EAB [Exclusion Area Boundary] – Whole Body Dose 0.30 rem – under limit of 0.5 rem, and
> - LPZ [low population zone] – Whole Body Dose 0.11 rem – under limit of 0.5 rem.

Both the exemption request and the amendment reference the same calculation, "Calculation IP-CALC-19-00003."

Request: Describe how the exemption from the requirements for a Site Area Emergency is justified based on the whole-body dose at the EAB from this accident.

RAI 2.

Requirement:

- 10 CFR 50.47(a)(1)(i) states in part, no initial operating license for a nuclear power reactor will be issued unless a finding is made by the NRC that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency….

Issue: The regulation wording for item #80 in Table 2, "Exemptions Requested from 10 CFR 50, Appendix E," of the Enclosure, "Request for Exemptions from Certain Emergency Planning Requirements of 10 CFR 50.47(b), 10 CFR 50.47(c)(2), and 10 CFR Part 50, Appendix E," is not consistent with the current regulation language of Paragraph IV.F 2.j of Appendix E to 10 CFR Part 50.

Request: Please revise the application to correct this inconsistency.

RAI 3.

Requirement:

- 10 CFR 50.47(a)(1)(i) states in part, no initial operating license for a nuclear power

> reactor will be issued unless a finding is made by the NRC that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency….

Issue: Item #7 of Table 3, "Interim Staff Guidance-02 Comparison," of the Enclosure states in part,

> These diverse strategies provide defense-in-depth and ample time to provide makeup water or spray to the IP2 and IP3 SFPs prior to the onset of zirconium cladding ignition when considering very low probability beyond design basis events affecting the SFPs.

Request: Please provide additional details regarding the mitigation strategies, to include the identification of the primary and backup (portable) pumps, the capacities of these pumps, and the primary and backup sources of makeup water for these mitigation strategies.