



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

November 2, 2022

Erin C. Hoffman, Director
National Exercise and Technological
Hazards
National Preparedness Directorate
Federal Emergency Management Agency
400 C Street, SW
Washington, DC 20472

SUBJECT: RESPONSE TO FEDERAL EMERGENCY MANAGEMENT AGENCY
COMMENTS ON THE REQUEST BY HOLTEC DECOMMISSIONING
INTERNATIONAL, LLC FOR EXEMPTIONS FROM CERTAIN EMERGENCY
PLANNING REQUIREMENTS FOR INDIAN POINT NUCLEAR GENERATING
UNIT NOS. 1, 2, AND 3

Dear Erin Hoffman:

I would like to thank you and your staff for sharing input to the draft Commission Paper for the request by Holtec Decommissioning International, LLC (HDI) for exemptions from certain emergency planning requirements for Indian Point Nuclear Generating Unit Nos. 1, 2, and 3 (collectively, Indian Point Energy Center (IPEC)), as enclosed in your letter dated August 12, 2022.¹ The U.S. Nuclear Regulatory Commission (NRC) staff values the opportunity to continue engagement with the Federal Emergency Management Agency (FEMA) and we appreciate your support of NRC's processes. We have accepted the entirety of your input. The staff would, however, like to respond to your request for clarification on how HDI will communicate and coordinate media releases and public messaging with offsite response organizations, as well as explain further about your observation that HDI was silent on the use of a Joint Information Center (JIC).

HDI² requested exemptions from specific portions of the emergency planning regulations for the IPEC licenses as part of the transition to permanent cessation of operation and permanent removal of fuel from the reactor vessel. A JIC is not required for an operating or decommissioning power reactor site under section 50.47, "Emergency Plans," to Title 10 of the *Code of Federal Regulations* (10 CFR) and Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," to 10 CFR Part 50, therefore HDI was not required to address the JIC in its exemption request. However, communications with offsite response organizations are still maintained by HDI and are still included in its proposed permanently defueled emergency plan (PDEP) dated February 4, 2022 (ML22035A121), currently under review by the NRC staff.

¹ Hoffman, Erin, Federal Emergency Management Agency (FEMA), Letter to Kathryn M. Brock, U.S. Nuclear Regulatory Commission (NRC), August 12, 2022, Agencywide Documents Access and Management System Accession No. ML22228A227.

² By letter dated December 22, 2021 (ML21356B693), as supplemented by letters dated February 1, 2022, February 2, 2022, and May 12, 2022 (ML22032A017, ML22033A348, and ML22132A169, respectively), HDI requested exemptions from specific portions of 10 CFR 50.47 and Appendix E to 10 CFR Part 50 for the IPEC licenses.

If the Commission approves HDI's exemption request, HDI can implement the IPEC PDEP, which includes the commitment to maintain communication and coordination with the media and specifies that certain information be included in public messages with offsite response organizations. Specifically, the proposed IPEC PDEP states that HDI communications personnel or an HDI plant or corporate manager will be notified of an emergency declaration and will serve as the spokesperson for the event. The spokesperson monitors media activity and coordinates with senior management to address rumors and disseminate information to the public. The spokesperson will also participate in news conferences as appropriate.

Again, thank you for sharing your input with the NRC. The NRC looks forward to continuing to work openly and collaboratively with FEMA to ensure the continued health and safety of the public around NRC-licensed facilities.

Sincerely,



Signed by Brock, Kathryn
on 11/02/22

Kathryn M. Brock, Director
Division of Preparedness
and Response
Office of Nuclear Security and Incident
Response

cc: David Gudinas, FEMA
Deputy Director, Technological Hazards Division
Thomas Warnock, FEMA
Branch Chief, Radiological Emergency Preparedness Program

RESPONSE TO FEDERAL EMERGENCY MANAGEMENT AGENCY COMMENTS ON THE INDIAN
 POINT NUCLEAR GENERATING UNIT NOS. 1, 2, AND 3 EMERGENCY PLANNING
 DECOMMISSIONING EXEMPTION DATE November 2, 2022

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