



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

January 31, 2023

Jean A. Fleming
Vice President, Licensing, Regulatory
Affairs, & PSA
Holtec Decommissioning International
Krishna P. Singh Technology Campus
1 Holtec Blvd.
Camden, NJ 08104

SUBJECT: ISSUANCE OF EXEMPTION FROM 10 CFR 72.212(a)(2), (b)(2), (b)(3), (b)(4), (b)(5)(i), (b)(11), AND 72.214 FOR PILGRIM NUCLEAR POWER STATION INDEPENDENT SPENT FUEL STORAGE INSTALLATION REGARDING ANNUAL RADIOACTIVE EFFLUENT RELEASE REPORT

Dear Jean A. Fleming:

By letter dated August 29, 2022 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML22241A112), as supplemented by letter dated December 9, 2022 (ML22343A165), Holtec Decommissioning International, LLC, (HDI) submitted a request to the U.S. Nuclear Regulatory Commission (NRC) for an exemption from Title 10 of the *Code of Federal Regulations* (10 CFR) 72.212 (a)(2), (b)(2), (b)(3), (b)(4), (B)(5)(i), (b)(11), and 72.214 for Pilgrim Nuclear Power Station (PNPS or Pilgrim) Independent Spent Fuel Storage Installation (ISFSI) Annual Radioactive Effluent Release Report (ARERR). In particular, the exemption request, if approved, would allow PNPS to deviate from the requirements in Certificate of Compliance (CoC) No. 1014, Amendment No. 14, Appendix A, Technical Specifications (TS) for the HI-STORM 100 System, Section 5.4, "Radioactive Effluent Control Program," subsection c related to the timing of submission for its ARERR.

The 10 CFR 72.212 requirements mentioned above identify that HDI must follow the respective CoC TS for the specific spent fuel casks it uses. Relevant cask TS require HDI to submit an ARERR for PNPS ISFSI to the NRC in accordance with 10 CFR 72.44(d)(3), which requires a report submittal within 60 days after the end of the 12-month monitoring period. The PNPS's 12-month monitoring period is effectively from January 1 to December 31 of each year. Hence, PNPS is required to submit the effluent monitoring report prior to March 1 of each year.

In its August 29, 2022 letter, HDI requested relief regarding the 60-day reporting requirement, so that the annual liquid and gaseous effluent release report for the PNPS ISFSI be incorporated into, and submitted with, the Pilgrim site ARERR on or before May 15, rather than prior to March 1, of each year to align with the submittal of its ARERR as required by PNPS Renewed Facility Operating License, DPR-35, PNPS Defueled Safety Analysis Report (DSAR) Section 5.0, "Administrative Controls," Appendix B, Section B-5.6.3, "Radioactive Effluent Release Report."

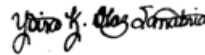
The NRC staff reviewed HDI's exemption request for the PNPS ISFSI. A summary of the NRC staff's review is included in the enclosed safety evaluation report.

Based on the staff's evaluation, the NRC has determined that, pursuant to 10 CFR 72.7, "Specific Exemptions," the exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Accordingly, the NRC grants HDI an exemption from 10 CFR 72.212(a)(2), (b)(2), (b)(3), (b)(4), (b)(5)(i), (b)(11), and 72.214. The exemption is effective immediately upon issuance. This exemption allows HDI to submit the annual liquid and gaseous effluent release report for the PNPS ISFSI on or before May 15, of each year, to align with its submittal of the ARERR as required by PNPS Renewed Facility Operating License (No. DPR-35) DSAR Section 5.0, "Administrative Controls," Appendix B, Section B-5.6.3, "Radioactive Effluent Release Report." All other requirements of 10 CFR 72.212(a)(2), (b)(2), (b)(3), (b)(4), (b)(5)(i), (b)(11), and 72.214 shall be met.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the publicly available records component of the NRC's document system, ADAMS. ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at (301) 415-5722, or Tilda Liu of my staff at (404) 997-4730.

Sincerely,



Signed by Diaz-Sanabria, Yoira
on 01/31/23

Yoira K. Diaz-Sanabria, Chief
Storage and Transportation Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket Nos.: 50-293, 72-1044
Renewed Operating License No.: DPR-35
EPID No.: L-2022-LLE-0028

Enclosure:
Safety Evaluation Report

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