



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

June 28, 2023

Mr. John T. Sauger
President and Chief Nuclear
Officer TMI-2Solutions, LLC
121 West Trade Street, Suite 2700
Charlotte, NC 28202

SUBJECT: THREE MILE ISLAND NUCLEAR STATION, UNIT 2 – ACCEPTANCE REVIEW
AND SCHEDULE FOR THE REQUEST FOR EXEMPTION FROM CERTAIN
REQUIREMENTS OF 10 CFR 20, APPENDIX G, SECTION III.E, EPID: L-2023-
LLE-0016

Dear Mr. Sauger:

By letter dated May 17, 2023, TMI-2 Solutions, LLC (TMI-2S) submitted an exemption request (Agencywide Document Access and Management System (ADAMS) Accession No. [ML23137A282](#)). TMI-2S requests an exemption from certain requirements of 10 CFR 20, Appendix G, Section III.E, "Requirements for Transfers of Low-Level Radioactive Waste Intended for Disposal at Licensed Land Disposal Facilities and Manifests." Specifically, TMI-2S requests an exemption from the requirement to investigate and report to the Nuclear Regulatory Commission (NRC) when notification of receipt of a shipment, or part of a shipment, of low-level radioactive waste from Three Mile Island Nuclear Station, Unit 2 (TMI-2) is not received within 20 days after transfer. TMI-2S is requesting that the time to receive acknowledgement that a shipment has been received by the intended recipient be extended from 20 days to 45 days for low-level radioactive waste shipments from the TMI-2 facility. Further, TMI-2S states that the requested exemption would be applicable to shipments from TMI-2 by rail or by mixed transportation modes, such as a combination of truck/rail shipments.

In its letter, TMI-2S states that it anticipates increased low-level radioactive waste shipments as site decommissioning activities commence and progress and therefore is requesting NRC approval of this exemption request by December 1, 2023. TMI-2S also stated that based on industry experience, it is reasonable to conclude that once shipping begins at TMI-2, there will be occurrences where the 20-day acknowledgement period will be exceeded. Approval of the exemption request will alleviate the need for licensee submittal within 20 days and for the associated NRC review of investigations into not receiving acknowledgement of receipt of a shipment within 20 days.

The purpose of this letter is to provide the results of the U.S. NRC staff's acceptance review. The acceptance review was performed to determine if there is sufficient technical information in scope and depth in the exemption request to allow the NRC staff to complete its technical review. The acceptance review is also intended to identify whether the exemption request has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the facility. The NRC determined that the exemption request is acceptable.

The NRC plans on completing its review of the exemption request by December 1, 2023. Regarding resource estimates, the NRC staff estimates approximately 100 hours would be needed for the review. These estimates could change, due to several factors including requests for additional information, unanticipated addition of scope to the review, and hearing-related activities. If there are emergent complexities or challenges in our review that would cause significant changes in the forecasted hours, the reasons for the changes, along with the new estimates, will be communicated by the assigned project manager during routine interactions.

There may be instances in which issues that impact the NRC staff's ability to complete the technical review of the exemption request are identified despite completion of an adequate acceptance review. You will be advised of any further information needed through requests for additional information (RAIs) to support the NRC staff's technical review by separate correspondence.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," 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 NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at (301) 415-6822 or via e-mail at Amy.Snyder@nrc.gov.

Sincerely,



Signed by Snyder, Amy
on 06/28/23

Amy M. Snyder, Senior Project Manager
Reactor Decommissioning Branch
Division of Decommissioning, Uranium Recovery
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-0320

cc: TMI-2 Listserv:

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