



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

May 26, 2020

Ms. Pamela B. Cowan
Senior Vice President
and Chief Operating Officer
Holtec Decommissioning International, LLC
Krishna P. Singh Technology Campus
1 Holtec Blvd.
Camden NJ 08104

SUBJECT: PILGRIM NUCLEAR POWER STATION – ACCEPTANCE OF REQUESTED
LICENSING ACTION RE: PHYSICAL SECURITY PLAN REVISION AND
LICENSE AMENDMENT REQUEST TO INCORPORATE ADDITIONAL
INDEPENDENT SPENT FUEL STORAGE INSTALLATION WITH REQUESTS
FOR ADDITIONAL INFORMATION (EPID: L-2020-LLA-0070)

Dear Ms. Cowan:

By letter dated April 2, 2020 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20141L057 Pkg.), as supplemented by letter dated April 22, 2020, (ADAMS Accession No. ML20122A055), Holtec Decommissioning International, LLC (HDI) submitted a license amendment request for the Pilgrim Nuclear Power Station (Pilgrim) pursuant to the provisions of Title 10 of the Code of *Federal Regulations* (10 CFR) 50.4, 10 CFR 50.54(p), 10 CFR 73.55(r), and 10 CFR 50.90. HDI requests approval of the Pilgrim Physical Security Plan (PSP) revision and requests an amendment to License Condition 3.G, Physical Protection. The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this amendment application.

As part of its amendment application, HDI submitted a proposed revised PSP that integrates the existing PSP's Appendix D. HDI indicated that this appendix provides the security requirements for the new Independent Spent Fuel Storage Installation (ISFSI II) that is currently being built in the Owner Controlled Area outside of the existing Pilgrim Protected Area. HDI anticipates that the ISFSI II pad will be completed in the fourth quarter of 2020. According to HDI, the Security Training and Qualification Plan and the Safeguards Contingency Plan are included in the proposed revised PSP but remain unchanged from the existing PSP.

In its amendment application cover letter, HDI indicated that it understands that NRC approval of the proposed revised PSP and the associated revision to Pilgrim License Condition 3.G is required prior to making the new ISFSI II pad operational and moving loaded casks to the new ISFSI II. Also, HDI explained it plans to conduct a campaign to transfer additional irradiated fuel located in the spent fuel pool (SFP) to dry cask storage on the existing Pilgrim ISFSI pad under the current license during the second through fourth quarter of calendar year 2020. In addition, HDI informed the NRC that it is planning for the subsequent fuel loading campaigns that would result in the use of the ISFSI II currently scheduled to commence in the second quarter of calendar year 2021, provided that the NRC approves the amendment application. Additionally,

HDI stated that movement of the fuel from the SFP to dry cask storage on the new ISFSI II pad will result in a significant reduction in site risk and therefore requested (provided the application is accepted for a detailed technical review) that the NRC complete its review by February 2, 2021. HDI indicated that completion of the NRC's review by this date would align with HDI plans for movement of the first cask from the existing ISFSI to the new ISFSI II during the second dry fuel storage campaign and requested that the NRC make the amendment immediately effective (provided that the amendment application is approved).

The NRC staff has completed its acceptance review of this license amendment request. The acceptance review was performed to determine if there is enough technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Consistent with Section 50.90 of 10 CFR, an amendment request to the license must fully describe the changes requested, and following as far as applicable, the form prescribed for original application. Section 50.34 of 10 CFR addresses the content of technical information required. This section stipulates that the submittal address the design and operating characteristics, unusual or novel design features, and principal safety considerations.

The NRC staff has reviewed your application and concluded that it does provide technical information in enough detail to enable the NRC staff to initiate a detailed technical review and make an independent assessment regarding the acceptability of the proposed amendment request in terms of regulatory requirements and the protection of public health and safety and the environment. The staff has started its detailed technical review and have identified areas where additional information related to the following documents are necessary to complete its detailed technical review: 1) HDI's Post Shutdown Decommissioning Activities Report, 2) HDI's environmental evaluation, and 3) HDI's Physical Security Plan. In support of an effective and efficient review, the NRC has enclosed three requests for additional information (RAIs). Satisfactory responses are needed to complete our technical review. Please respond to the RAIs within 30 days. If you are unable to meet this date, please provide a proposed response date, within 10 business days of receipt of this letter.

Given the lesser scope and depth of the acceptance reviews, as compared to the detailed technical reviews, there may be instances in which issues that impact the NRC staff's ability to complete the detailed technical review are identified despite completion of an adequate acceptance review. If additional information is needed, besides the enclosed RAIs, HDI will be advised by separate correspondence.

Based on the information provided in your submittal, and supplement, and discussions during the pre-licensing meeting on January 31, 2020 (ADAMS Accession No. ML20045D106), the NRC staff has estimated that this licensing request will take approximately 450 hours to complete. This estimate assumes, HDI will respond to the attached RAIs with the needed information, as well as any other RAIs that might be issued in the future, in a timely manner. The NRC staff expects to complete this review in approximately eight months and will attempt to complete its review no later than February 2, 2021. If there are emergent complexities or challenges in our review that would cause changes to the initial forecasted completion date or significant changes in the forecasted hours, the reasons for the changes, along with the new estimates, will be communicated during the routine interactions with the assigned project manager.

These estimates are based on the NRC staff's initial review of the application and they could change, due to several factors including RAIs, unanticipated addition of scope to the review, or hearing-related activities.

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

Sincerely,

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. 50-293

Enclosure: Requests for Additional Information
cc: Listserv

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ADAMS Accession No.: ML20142A242***via e-mail**

OFFICE	DUWP	DUWP	NSIR/DPCP	EMRB/Acting	DUWP
NAME	A. Snyder*	B. Watson*	A. Rivera*	D. Diaz. Toro*	A. Snyder
DATE	5-19-20	5-19-20	5-22-20	5-21-20	5-26-20

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Holtec Decommissioning International, LLC, Pilgrim Independent Spent Fuel Storage Installation Physical Security Plan Amendment Application, Requests for Additional Information

1. On page 3 of 5 of the April 2, 2020, submittal cover letter (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20136A038), Holtec Decommissioning International, LLC (HDI) stated the following:

“As discussed in the HDI Revised PSDAR (Post Shutdown Decommissioning Activities Report); existing ISFSI (Independent Spent Fuel Storage Installation) pad space and dry cask loading limitations require the construction of additional ISFSI capacity. The construction of the Pilgrim (Pilgrim Nuclear Power Station) ISFSI II will provide this additional capacity to support storage of the remaining spent fuel stored in the SFP (spent fuel pool) and must be completed in order to support the schedule provided in the HDI Revised PSDAR.”

According to the March 31, 2020, “Report on Status of Decommissioning Funding for Reactors and Independent Spent Fuel Storage Installations” submittal (ADAMS Accession No. ML20091M858), it appears that HDI modified its Pilgrim decommissioning schedule and some of its major milestones from the HDI Revised PSDAR, dated November 18, 2018 (ADAMS Accession No. ML18320A040). However, HDI refers to the schedule in HDI’s Revised PSDAR in HDI’s April 2, 2020, amendment application cover letter instead of the updated decommissioning schedule presented in its March 31, 2020, submittal. Please clarify how the Enclosure 2, Figure 1, “Holtec Decommissioning International Pilgrim Nuclear Power Station Decommissioning Schedule Timeline,” of the March 31, 2020, submittal applies to the April 2, 2020, submittal and HDI’s Revised PSDAR for the Pilgrim.

2. On page 3 of 5 of the April 2, 2020, submittal cover letter, HDI stated the following;

“Furthermore, HDI has evaluated this proposed license amendment against the criteria for identification of licensing and regulatory actions requiring environmental assessment in accordance with 10 CFR (Title 10 of the Code of Federal *Regulations*) 51.21 and has concluded, pursuant to 10 CFR 51.22(b), that no environmental impact statement or environment assessment need be prepared in connection with the proposed amendment.”

Additionally, in Section 4, “Environmental Considerations,” of Attachment 1 to the HDI’s cover letter, HDI specified that HDI has “determined that it [the proposed license amendment] meets the criteria for categorical exclusion set forth in 10 CFR 51.22(c)(12).” HDI has explained that “modifications associated with this proposed amendment include lighting, intruder detection systems, protected area boundary fencing, access control systems, telecommunications equipment, a vehicle barrier system, and a central alarm station” and that “activities associated with the proposed amendment do not involve any significant construction impacts.” HDI, however, has not provided in its application the bases and supporting information for concluding that 10 CFR 51.22(c)(12) is applicable. Please provide HDI’s assessment with rationale as to why a categorical exclusion applies to this proposed licensing proceeding and supporting information.

The information the NRC staff uses to conduct and inform its environmental reviews must be

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publicly available, as appropriate. Therefore, please ensure that the information included in response to this request for additional information can be made publicly available. This information is needed to allow NRC staff compliance with the National Environmental Policy Act of 1969 and 10 CFR Part 51, Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions.

3. On page 1 of 5 of the April 2, 2020, submittal cover letter, HDI stated that it "...requests approval of the enclosed Pilgrim Nuclear Power Station (PNPS) Physical Security Plan (PSP) revision ..." HDI submitted, as enclosure 1, the description of PNPS Physical Security Plan Changes - (Security Related Information) and as enclosure 2, the proposed changes to the PNPS Security Plan including Appendix D (Safeguards, Information) as opposed to the proposed PSP revision. Per the NRC License No. DPR-35, Provision 3. G., Physical Protection:

"The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contain Safeguards Information protected under 10 CFR 73.21, is entitled: "Pilgrim Nuclear Power Station Physical Security, Training and Qualification, and Safeguards Contingency Plan, Revision 0" submitted by letter dated October 13, 2004, as supplemented by letter dated May 15, 2006."

The NRC staff will review the submittal with the proposed changes but also must review the entire PSP in total to ensure that certain other areas of the PSP are compatible with the proposed changes. This is needed due to the complexity of your submittal and your proposed PSP strategy of phasing in the new ISFSI II. Because changes to the Pilgrim PSP were made under 10 CFR 50.54(p)(2) since 2006 that did not require NRC approval, those changes were not submitted to the NRC. In order for staff to complete its technical review of this amendment application, the NRC staff requests that HDI submit a copy of the entire PSP. Further, if any changes to the PSP are made in the future under 10 CFR 50.54(p)(2), between now and the completion of the technical review for this amendment application review, the NRC staff request that the changes be submitted for the same reason as stated above for the purpose of this amendment application review. Such submittals, if there are any, may impact the proposed review schedule.