

SAFEGUARDS INFORMATION



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

June 25, 2021

Andrea L. Sterdis
Vice President Regulatory
and Environmental Affairs
Holtec Decommissioning
International, LLC
Krishna P. Singh Technology Campus
1 Holtec Blvd.
Camden, NJ 08104

SUBJECT: OYSTER CREEK NUCLEAR GENERATING STATION - ISSUANCE OF AMENDMENT TO CHANGE THE SECURITY PLAN, TRAINING AND QUALIFICATION PLAN, AND SAFEGUARDS CONTINGENCY PLAN TO REFLECT AN INDEPENDENT SPENT FUEL STORAGE INSTALLATION-ONLY CONFIGURATION (EPID NO. L-2020-LLA-0267)

Dear Ms. Sterdis :

The U.S. Nuclear Regulatory Commission (NRC) has issued the enclosed Amendment No. 301 to Renewed Facility Operating License No. DPR-16 for the Oyster Creek Nuclear Generating Station (Oyster Creek). The amendment is issued in response to your application dated December 8, 2020, as supplemented by letter dated January 29, 2021 (Agencywide Documents Access and Management System [ADAMS] Accession Nos. ML20345A249 and ML21036A169, respectively). The enclosures to these letters are not publicly available in ADAMS as they contain security-related and safeguards information. The amendment would revise the Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50 license to reflect the requirements associated with the security changes set forth in the revised Oyster Creek Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan (the Plan) for the independent spent fuel storage installation (ISFSI) only configuration, consistent with the permanent removal of all spent fuel from the spent fuel pool.

The proposed changes to the Oyster Creek Plan reflect the status of a nuclear power reactor that has submitted its certifications under 10 CFR 50.82(a) for permanent cessation of power operations and permanent removal of fuel from the reactor vessel and has completed the transfer of all irradiated fuel to the on-site ISFSI. The implementation of the proposed changes is predicated upon the completion of the transfer of all spent fuel to dry storage in casks within the ISFSI. The movement of all spent fuel to the ISFSI will occur entirely within the existing protected area, which includes the locations of the existing ISFSI pad. Implementation of the proposed changes also requires the installation or modification of those security structures, systems, and components necessary to support the ISFSI-only plan. Additionally, the implementation of the proposed changes requires appropriate security measures to be in place during the transition from the current Plan to the ISFSI-only plan.

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A. Sterdis

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For the reasons set forth in the safety evaluation in Enclosure 2 to this letter, the NRC staff has determined that the proposed Oyster Creek ISFSI-only plan continues to meet the requirements in 10 CFR 72.212(b)(9). As such, the Oyster Creek ISFSI-only plan provide reasonable assurance that adequate protective measures can and will be taken in the event of an occurrence of a physical security contingency at the site.

The amendment approving the Oyster Creek ISFSI-only plan is provided in Enclosure 1 to this letter. Enclosure 2 contains the staff's associated safety evaluation which includes safeguards information and should be protected from public disclosure. The Notice of Issuance will be forwarded to the *Federal Register* for publication.

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 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,

/RA/

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

Docket Nos. 50-219 and 72-15

Enclosures:

1. Amendment No. 301 - DPR-16
2. Safety Evaluation (Safeguards –
Withhold public)

cc: via Listserv (w/o Enc. 2)

Pierre Paul Oneid [P.oneid@holtec.com]
Pamela B. Cowan [P.Cowan@holtec.com]

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HOLTEC DECOMMISSIONING INTERNATIONAL, LLC

OYSTER CREEK ENVIRONMENTAL PROTECTION, LLC

DOCKET NO. 50-219

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 301
License No. DPR-16

1. The Nuclear Regulatory Commission (the Commission or the NRC) has found that:
 - A. The application for license amendment filed by the Holtec Decommissioning International (HDI or the licensee), dated December 8, 2020, as supplemented by letter dated January 29, 2021 complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and applicable portions of the Commission's regulations set forth in 10 CFR Chapter I, and all required notifications to other agencies or bodies have been duly made;
 - B. The facility will operate in conformity with the application, as supplemented, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;
 - D. The issuance of this amendment will not be inimical to the common defense and security, or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to License Condition 2.C(4) of Renewed Facility Operating License No. DPR-16, and is hereby amended to read as follows:

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Enclosure 1

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Holtec Decommissioning International 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 72.212(b)(9) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21 is entitled; "Oyster Creek Nuclear Generating Station ISFSI Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan," approved by letter dated, June 25, 2021.

3. This license amendment is effective as of the date the licensee notifies the NRC in writing that all spent nuclear fuel assemblies have been transferred out of the spent fuel pool and have been placed in dry storage within the independent spent fuel storage installation and shall be implemented within 90 days of the effective date.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Bruce A. Watson, CHP, Chief
Reactor Decommissioning Branch
Division of Decommissioning, Uranium Recovery
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Attachment:
Change to Facility
Operating License No. DPR-16

Date of Issuance: June 25, 2021

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ATTACHMENT TO LICENSE AMENDMENT NO. 301
TO RENEWED FACILITY OPERATING LICENSE NO. DPR-16

DOCKET NO. 50-219

Replace the following page of the Renewed Facility Operating License No. DPR-16 with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the area of change.

Renewed Facility Operating License No DPR-16

REMOVE

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INSERT

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- (4) Holtec Decommissioning International pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use at any time any byproduct, source, or special nuclear materials as sealed neutron sources that were used for reactor startup, sealed sources that were used for calibration of reactor instrumentation and are used in radiation monitoring equipment, and as fission detectors in amounts as required;
 - (5) Holtec Decommissioning International pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess and use in amounts as required any byproduct, source, or special nuclear materials without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
 - (6) Holtec Decommissioning International pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate such byproduct, source, or special nuclear materials that were produced by the operation of the facility.
- C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect and is subject to the additional conditions specified or incorporated below:
- (1) DELETED
 - (2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 299, are hereby incorporated in the license. Holtec Decommissioning International shall possess, maintain, and decommission the facility in accordance with the Permanently Defueled Technical Specifications (PDTS).
 - (3) DELETED
 - (4) Holtec Decommissioning International 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 72.212(b)(9) 3.55 (51 FR 27817 and 27822), and the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21 submitted by letter dated May 17, 2006, is titled: "Oyster Creek Nuclear Generating Station ISFSI Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Revision 50," approved on June 25, 2021.

Renewed License No. DPR-16
Amendment No. 301

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SAFETY EVALUATION BY THE OFFICE OF
NUCLEAR SECURITY AND INCIDENT RESPONSE
RELATED TO AMENDMENT NO. 301
TO RENEWED FACILITY OPERATING LICENSE NO. DPR-16
HOLTEC DECOMMISSIONING INTERNATIONAL
OYSTER CREEK NUCLEAR GENERATING STATION
DOCKET NO. 50-219

The safety evaluation contains
safeguards information and should
be protected from public disclosure.

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