

From: [Cruz Perez, Zahir](#)
To: [Jean Fleming](#)
Cc: [Bill Noval](#); [Matthew Johnson](#); [Walter Wittich](#); [Watson, Bruce](#)
Subject: Acceptance Review: Exemption Requests from portions of 10 CFR 50.47 and 10 CFR Part 50, Appendix E, Section IV for Indian Point Energy Center
Date: Friday, February 04, 2022 2:47:00 PM

Dear Ms. Fleming:

By letter dated December 22, 2021 (Agencywide Documents Access and Management System [ADAMS] Accession No. Main Library [ML] ML21356B693), Holtec Decommissioning International, LLC (HDI) submitted exemption requests from portions of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50.47(b), 10 CFR 50.47(c)(2), and 10 CFR Part 50, Appendix E, Section IV, for Indian Point Nuclear Generating Units Nos. 1, 2 and 3, collectively referred to as Indian Point Energy Center (IPEC). HDI submitted a revision to the exemption requests and a supplement on February 1, 2022 (ADAMS Accession Nos. ML22033A348 and ML22032A017, respectively). The requested exemptions would allow HDI to reduce IPEC emergency planning requirements consistent with the permanently shutdown and defueled condition of IPEC.

HDI has performed site specific analyses utilizing the methodology in Holtec Report HI-2200750, Rev. 2 "Holtec Spent Fuel Pool Heat Up Calculation Methodology Topical Report" to determine the end of the zirconium fire period for IPEC Unit 2 and IPEC Unit 3. These site-specific analyses show that the requested Permanently Defueled Emergency Plan may be implemented with an optimized spent fuel pool layout for IPEC Unit 2 and IPEC Unit 3 at 15 months after power operations ceased at IPEC Unit 3. Therefore, HDI requested review and approval of the exemptions by July 1, 2022, with the approved exemptions to become effective August 1, 2022 (i.e., 15 months following the permanent shutdown of IPEC Unit 3).

The purpose of this e-mail is to provide the results of the NRC staff's acceptance review of this request. The acceptance review was performed to determine if there is sufficient 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.

The NRC staff has reviewed your request and concluded that it does provide technical information in sufficient detail to enable the NRC staff to complete its detailed technical review and make an independent assessment regarding the acceptability of the proposed amendment in terms of regulatory requirements and the protection of public health and safety and the environment. Given the lesser scope and depth of the acceptance review as compared to the detailed technical review, 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, you will be advised through separate correspondence by mid-April 2022, and a response will be due 30 days from the receipt of the request for additional information.

Staff requirements memorandum (SRM) to SECY-08-0024 requires Commission approval for any reduction in the effectiveness of a licensee's emergency plan that requires an

exemption from the requirements of 10 CFR 50.47(b) and Appendix E to 10 CFR Part 50. Therefore, the NRC staff expects to complete this review by January 25, 2023 (approximately 500 hours). If there are emergent complexities or challenges in our review that would cause changes to the initial forecasted completion date, the reasons for the changes, along with a new estimate, will be communicated during the routine interactions with the assigned project manager.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this email 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 website at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me.

Zahira

Zahira Cruz

(Pronouns: [She/Her/Hers](#))

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