



Entergy Nuclear Operations, Inc.
Pilgrim Nuclear Power Station
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Brian R. Sullivan
Site Vice President

2.18.078

December 14, 2018

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

SUBJECT: Request for Rescission of Commission Order Modifying Licenses with
Regard to Reliable Hardened Vents Capable of Operation Under Severe
Accident Conditions (Order EA-13-109)

Pilgrim Nuclear Power Station
Docket No. 50-293
Renewed License No. DPR-35

- REFERENCES:**
1. NRC Order Number EA-13-109, Order Modifying Licenses with Regard to Reliable Hardened Vents Capable of Operation Under Severe Accident Conditions, dated June 6, 2013 (ML13143A334)
 2. Entergy Letter to NRC, (Pilgrim Letter 2.13.050), Entergy's Answer to the June 6, 2013, Commission Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions, dated June 26, 2013 (Order Number EA-13-109) (ML13183A063)
 3. Entergy Letter to NRC (Pilgrim Letter 2.15.080), Notification of Permanent Cessation of Power Operations, dated November 10, 2015 (ML15328A053)
 4. Entergy Letter to NRC (Pilgrim Letter 2.16.028), Request for Extension to Comply with NRC Order EA-13-109, Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions, dated June 24, 2016 (ML16187A325)
 5. NRC Letter to Pilgrim – Relaxation of the Schedule Requirements for Order EA-13-109: Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions (CAC NO. MF4470), dated April 17, 2017 (ML17032A050)

A153
NRR

Dear Sir or Madam:

On June 6, 2013, the U.S. Nuclear Regulatory Commission (NRC) issued Order EA-13-109 (Reference 1) to Pilgrim Nuclear Power Station (PNPS). Reference 1 was immediately effective and directed Entergy Nuclear Operations, Inc. (Entergy) to install hardened containment venting systems that can be maintained functional during severe accident conditions (i.e., following significant core damage). The substantive requirements of the Order are contained in Reference 1. The Order includes two separate implementation phases. Phase 1 includes modifications to wetwell venting systems, while Phase 2 includes modifications to drywell venting systems or implementation of a reliable containment strategy that includes modifications to drywell venting systems or implementation of a reliable containment strategy that meets regulatory approval.

In Reference 2, Entergy provided the required 20-day notification for Pilgrim pursuant to Condition C.1 of the Order EA-13-109 for implementation of Phase 1.

In Reference 3, Entergy notified the NRC of plans to permanently shut down PNPS and cease operation no later than June 1, 2019. Due to the limited remaining operational time for PNPS and the existing capability to address venting under severe accident conditions (i.e., following significant core damage), Entergy requested an extension to comply with Phase 1 of NRC Order EA-13-109 (Reference 4) until December 31, 2019, which the NRC granted in Reference 5. The compliance date for Phase 2 of the Order was not scheduled for implementation until December 31, 2019, that is after the cessation of operation date.

The purpose of this letter is to request rescission of the Order upon docketing of the Title 10 Code of Federal Regulations (CFR) 50.82(a)(1) certifications for permanent cessation of operations and permanent removal of fuel from the reactor vessel. The attachment to this letter provides the good cause justification for this request.

This letter contains no new regulatory commitments.

If you have any questions or require additional information, please contact Mr. Peter J. Miner at (508) 830-7127.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 14, 2018

Sincerely,



Brian R. Sullivan

BRS/rmc

Attachment 1: Request for Rescission of Commission Order Modifying Licenses with Regard
to Reliable Hardened Vents Capable of Operation Under Severe Accident
Conditions (Order EA-13-109)

cc: Mr. David C. Lew
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Attachment 1

Letter Number 2.18.078

Request for Rescission of Commission Order Modifying Licenses with Regard to Reliable Hardened Vents Capable of Operation Under Severe Accident Conditions (Order EA-13-109)

(2 Pages)

I. Request for Order Relief and Order Rescission

Order EA-13-109, "Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions" (Reference 1), requires Entergy Nuclear Operations (Entergy) to install hardened containment venting systems that can be maintained functional during severe accident conditions (i.e., following significant core damage). The Order includes two separate implementation phases. Phase 1 includes modifications to wetwell venting systems, while Phase 2 includes modifications to drywell venting systems or implementation of a reliable containment strategy that meets regulatory approval.

Entergy hereby submits a request that Order EA-13-109 be rescinded for Pilgrim Nuclear Power Station (PNPS) upon docketing of the Title 10 Code of Federal Regulation (CFR) 50.82(a)(1) certifications for permanent cessation of operation and permanent removal of fuel from the reactor vessel.

II. Background

On June 6, 2013, the U.S. Nuclear Regulatory Commission (NRC) issued Order EA-13-109 (Reference 1) to all licensees that operate boiling-water reactors with Mark I and Mark II containment designs. The Order was effective immediately and is applicable to PNPS. Reference 1 required Entergy to install hardened containment venting systems that can be maintained functional during severe accident conditions (i.e., following significant core damage). The substantive requirements of the Order are contained in Reference 1. The Order includes two separate implementation phases. Phase 1 includes modifications to wetwell venting systems, while Phase 2 includes modifications to drywall venting systems or implementation of a reliable containment strategy that meets regulatory approval.

In Reference 2, Entergy provided the required 20-day notification for PNPS pursuant to Condition C.1 of the Order EA-13-109 for implementation of Phase 1. Reference 2 indicated that Entergy was evaluating the complex plant modifications that were required to meet the Phase 1 and Phase 2 severe accident capable vent requirements specified in Order EA-13-109. In Reference 3, Entergy notified the NRC of plans to permanently shut down PNPS and cease operation no later than June 1, 2019.

As discussed in Reference 4, Entergy planned to submit a request for rescission of Order EA-13-109 no later than December 31, 2019. In Reference 5, the NRC granted PNPS relaxation of the Order requirement for implementation of Order EA-13-109, Phase 1 until December 31, 2019.

Order EA-13-109, Section IV.D., states that "the Director, Office of Nuclear Reactor Regulation may, in writing, relax or rescind any of the above conditions upon demonstration by the Licensee of good cause."

III. Basis for Rescission Request

Upon docketing of the 10 CFR 50.82(a)(1) certifications for permanent cessation of operations and permanent removal of fuel from the reactor vessel, the 10 CFR Part 50 license will no longer authorize operation of the reactor or emplacement or retention of fuel into the reactor vessel.

With permanent removal of fuel from the reactor vessel, the function of primary containment will cease. Primary containment has no design function regarding protection of the fuel in the Spent Fuel Pool (SFP), or mitigation of SFP accident scenarios. Therefore, implementation of the requirements in Order EA-13-109 will no longer have any nexus to reasonable assurance of adequate protection of the public health and safety.

IV. Conclusion

Based on the above, the Director, Office of Nuclear Reactor Regulation is requested to rescind Order EA-13-109 for PNPS upon docketing of the 10CFR50.82(a)(1) certifications for permanent cessation of operations and permanent removal of fuel from the reactor vessel.

References:

1. NRC Order Number EA-13-109, Order Modifying Licenses with Regard to Reliable Hardened Vents Capable of Operation Under Severe Accident Conditions, dated June 6, 2013 (ML13143A334)
2. Entergy Letter to NRC, (Pilgrim Letter 2.13.050), Entergy's Answer to the June 6, 2013, Commission Order Modifying License With Regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions, dated June 26, 2013 (Order Number EA-13-109) (ML13183A063)
3. Entergy Letter to NRC (Pilgrim Letter 2.15.080), Notification of Permanent Cessation of Power Operations, dated November 10, 2015 (ML15328A053)
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