



10 CFR 50.82(a)(4)

October 18, 2019

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

Oyster Creek Nuclear Generating Station
Renewed Facility Operating License No. DPR-16
Docket No. 50-219 and 72-15

Subject: Response to Request for Additional Information (RAI) Related to Oyster Creek
Nuclear Generating Station – Post-Shutdown Decommissioning Activities Report

- Reference:
- 1) Letter from Pamela B. Cowan (Holtec Decommissioning International, LLC, LLC) to U.S. Nuclear Regulatory Commission – *"Notification of Revised Post-Shutdown Decommissioning Activities Report and Revised Site-Specific decommissioning Cost Estimate for Oyster Creek Nuclear Generating Station,"* dated September 28, 2018 (ML18275A116)
 - 2) U.S. Nuclear Regulatory Commission Electronic Mail Request to Andrea Sterdis, et al., (Holtec Decommissioning International, LLC) – *"Draft RAI – HDI Revised PSDAR,"* dated September 16, 2019
 - 3) U.S. Nuclear Regulatory Commission Electronic Mail Request to Pam Cowan and Pierre Oneid, (Holtec Decommissioning International, LLC) - *"For Your Action; Request for Additional Information: HDI Oyster Creek PSDAR,"* dated September 20, 2019 (ML19263D122)

By letter dated September 28, 2018 (Reference 1), Holtec Decommissioning International, LLC (HDI) submitted a Revised Post-Shutdown Decommissioning Activities Report (PSDAR) in accordance with 10 CFR 50.82(a)(4)(i) to the U.S. Nuclear Regulatory Commission (NRC). The NRC staff has reviewed HDI's submittal and determined that additional information is required to enable the NRC staff to make an independent assessment regarding its technical review.

Subsequently, in an electronic mail request dated September 16, 2019 (Reference 2), the NRC issued draft Requests for Additional Information (RAI). To ensure that the questions were understandable, the regulatory basis was clear, and to determine if the information was previously docketed, the draft RAI questions in Reference 2 were further discussed during a teleconference between HDI and NRC representatives held on September 20, 2019. As a



result of the discussions, it was determined that no modifications to the draft RAI questions (Reference 2) were needed. The NRC subsequently issued its formal RAI on September 20, 2019 (Reference 3). As indicated, HDI is providing this response within 30 days of the date of the electronic mail request.

Accordingly, HDI's response to the RAI questions contained in the Reference 3 electronic mail request are attached to this letter. Each RAI question is identified in the attachment followed by HDI's response. Based on these responses, HDI does not plan on revising the OCNGS PSDAR at this time. As required by 10 CFR 50.82(a)(7), HDI will "notify the NRC, in writing and send a copy to the affected State(s), before performing any decommissioning activity inconsistent with, or making any significant schedule change from, those actions and schedules described in the PSDAR." As required, HDI will verify that the decommissioning activities meet the requirements of 10 CFR 50.82(a)(6)(i) - (iii) or seek appropriate regulatory approval if needed.

There are no regulatory commitments in this letter.

Should you have any question or require further information, please contact me at (856) 797-0900, x3813.

Respectfully,

A handwritten signature in blue ink that reads "Andrea L. Sterdis".

Andrea L. Sterdis
Vice President, Regulatory and Environmental Affairs
Holtec Decommissioning International, LLC

Attachments: Attachment – Responses to RAI Questions EJ-1 and EJ-2



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cc: w/Attachment

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NRC Senior Resident Inspector - Oyster Creek Nuclear Generating Station
NRC Project Manager, NMSS - Oyster Creek Nuclear Generating Station
Assistant Director, Radiation Protection Element, Division of Climate, Clean Energy &
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ATTACHMENT
Responses to RAI Questions EJ-1 and EJ-2

Background

By letter dated September 28, 2018 in accordance with 10 CFR 50.82(a)(7), Holtec Decommissioning International, LLC (HDI) submitted the revised Post-Shutdown Decommissioning Activities Report (PSDAR) (ADAMS Accession No. ML18275A116) to the U.S. Nuclear Regulatory Commission (NRC) for Oyster Creek Nuclear Generating Station (Oyster Creek). HDI submitted the revised PSDAR to notify the NRC of changes to accelerate the schedule for the prompt decommissioning of Oyster Creek. On September 20, 2019 HDI received a formal request for additional information (RAI) associated with the revised PSDAR.

Accordingly, this attachment provides HDI's response to the RAI questions. Each question in **Bold** is identified below followed by HDI's response.

EJ-1 In accordance with NRC regulation 10 CFR 50.82(a)(4)(i), HDI needs to explain the reason for concluding “the impacts of OCNGS decommissioning on environmental justice are small and bounded by the [decommissioning] GEIS” – when the decommissioning GEIS says the impacts must be determined on a site-specific basis. Please explain how the environmental justice impacts of planned site-specific decommissioning activities at OCNGS will (or will not) be bounded by appropriate previously issued environmental impact statement(s)?

Response: HDI relied on previously submitted PSDARs to ascertain the level of detail, evidence and analysis found acceptable by the NRC to support a conclusion that the potential for disproportionate impacts to minority and low-income populations have been addressed through site-specific analysis and the GEIS. Licensees have generally addressed these potential impacts by obtaining and evaluating the most current (at the time of the analysis) general population and environmental justice population information, analyzing the information to determine if disproportionate impacts to minority and low-income populations not otherwise bounded by the GEIS would occur, and if no such disproportionate impacts were likely to occur, concluding that the impacts were bounded by the GEIS. We understand from this RAI and our September 20, 2019 teleconference with NRC to discuss these RAIs, that it is the agency's more recent position that the evaluation of the potential for disproportionate impacts to minority and low-income populations, and ensuing conclusions, should be based solely on the site-specific analysis. HDI's conclusions from its site-specific analysis are presented in the response to RAI EJ-2 below.

EJ-2 Can HDI provide a more up to date site-specific environmental justice impact analysis addressing potential human health and environmental effects from planned decontamination and dismantlement activities? The analysis should address proportionment at the time of decommissioning as well as potential transportation impacts associated with the delivery and use of dismantlement equipment and the removal and disposal of waste material, on minority and low-income populations living near OCNCS?

Response: The environmental justice population analysis provided in the HDI PSDAR is based on the 2010 Census data, the American Community Survey (ACS) 2012 – 2016, 5-year estimate data presented in the updated environmental report prepared by Exelon Generation Company, LLC (Exelon) dated April 6, 2018¹ and environmental monitoring data presented in recent OCNCS radioactive effluent release reports (ARERR).^{2,3} These population and environmental monitoring data were the most recently available information at the time of submittal of the HDI PSDAR for Oyster Creek.

HDI conducted an independent site-specific assessment of environmental justice as it relates to the effects of OCNCS decommissioning using the DECON method and reached the same conclusions as did Exelon in its SAFSTOR PSDAR⁴.

HDI considered facility environmental monitoring data presented in the 2016 and 2017 ARERRs for OCNCS, and consistent with the conclusions in those reports, found that the operation of OCNCS has not resulted in significant radiation exposure to the people or the environment surrounding OCNCS. No significant increases in radiation exposure to the people or the environment surrounding OCNCS are expected during decommissioning.

HDI examined the geographic distribution of minority and low-income populations within a 50-mile radius of the OCNCS site using the 2012-2016 American Community Survey 5-year estimates. Census block groups containing minority populations were identified and were concentrated in the larger metropolitan areas, such as Philadelphia, Trenton, and Atlantic City.

¹ Environmental Report, Post-Shutdown Decommissioning Activities Report, Final, Oyster Creek Nuclear Generating Station, Exelon Generation Company, LLC, April 6, 2018.

² Annual Radioactive Effluent Release Report, 2016, January 1, 2016 through December 31, 2016, Oyster Creek Nuclear Generating Station, Exelon Generation Company, LLC, April 28, 2017 (ML17123A111).

³ Annual Radioactive Effluent Release Report, 2017, January 1, 2017 through December 31, 2017, Oyster Creek Nuclear Generating Station, Exelon Generation Company, LLC, April 30, 2018 (ML18123A357).

⁴ Post-Shutdown Decommissioning Activities Report, Oyster Creek Nuclear Generating Station, Exelon Generation Company, LLC, May 21, 2018 (ML18141A775).

The nearest minority population is located about 8 miles north of OCNGS, near Toms River. Census block groups containing low-income populations were concentrated in the cities of Philadelphia and Trenton. The nearest low-income population is located near Toms River approximately 9 miles north of OCNGS. This description of the ACS 2012-2016 environmental justice population is included in the HDI DECON PSDAR.⁵

HDI determined that decommissioning impacts to all resource areas, including potential transportation impacts associated with the delivery and use of dismantlement equipment and the removal and disposal of waste material, would be small, indicating that the effects are not detectable or are so minor that they will neither destabilize nor noticeably alter any important attribute of the resource. Because no member of the public will be substantially affected, there can be no disproportionately high and adverse impact or effects on minority and low-income populations resulting from the decommissioning of OCNGS. Based on these site-specific findings, HDI concludes that the impacts of decommissioning OCNGS on minority and low-income populations are small.⁶

⁵ Revised Post-Shutdown Decommissioning Activities Report and Revised Site-Specific Decommissioning Cost Estimate for Oyster Creek Nuclear Generating Station, Holtec Decommissioning International, LLC, September 28, 2018 (ML18275A116).

⁶ The conclusions presented in the HDI PSDAR were functionally based on a site-specific analysis supporting the conclusions described in this footnoted paragraph, consistent with the content and format of the bounding conclusions and supporting information for Environmental Justice evaluations presented in precedent PSDARs.