

design-basis accident shows that within 285 days after permanent cessation of power operations, at least 10 hours would be available between the time that all cooling means are lost to the fuel (at which time adiabatic heatup is conservatively assumed to begin), until the fuel cladding reaches a temperature of 900 °C, which is the temperature associated with rapid cladding oxidation and the potential for a significant radiological release. This analysis conservatively does not include the period of time from the initiating event causing a loss of SFP water inventory until all cooling means are lost.

The NRC staff has verified Exelon's analyses and its calculations. The analyses provide reasonable assurance that in reissuing the requested exemptions to Exelon, there is no design-basis accident that will result in an offsite radiological release exceeding the EPA early phase PAGs at the exclusion area boundary. In the highly unlikely event of a beyond-design-basis accident affecting the SFP that results in a complete loss of heat removal via all modes of heat transfer, there will be over 10 hours available before an offsite release might occur and, therefore, at least 10 hours to initiate appropriate mitigating actions to restore a means of heat removal to the spent fuel. If a radiological release were projected to occur under this highly unlikely scenario, a minimum of 10 hours is considered sufficient time for offsite authorities to implement protective actions using a CEMP, or "all-hazards," approach to protect the health and safety of the public.

Exemptions from the offsite EP requirements in 10 CFR part 50 have previously been approved by the NRC when the site-specific analyses show that at least 10 hours is available following a loss of SFP coolant inventory accident with no air cooling (or other methods of removing decay heat) until cladding of the hottest fuel assembly reaches the rapid oxidation temperature. The NRC staff concluded in its previously granted exemptions, as it does with Exelon's requested EP exemptions, that if a minimum of 10 hours is available to initiate mitigative actions consistent with plant conditions or, if needed, for offsite authorities to implement protective actions using a CEMP approach, then formal offsite radiological emergency preparedness plans, required under 10 CFR part 50, are not necessary at permanently shutdown and defueled facilities.

Additionally, Oyster Creek committed to maintaining SFP makeup strategies in its letters to the NRC dated March 8 and

19, 2018 (ADAMS Accession Nos. ML18067A087 and ML18078A146, respectively). The multiple strategies for providing makeup to the SFP include: Using existing plant systems for inventory makeup; an internal strategy that relies on the fire protection system with redundant pumps (one diesel-driven and one electric motor-driven); and onsite diesel fire truck that can take suction from the Barnegat Bay. These strategies will continue to be required as condition 2.C.(8), "Mitigation Strategy License Condition," of renewed facility operating license DPR-16 for Oyster Creek. Considering the very low probability of beyond-design-basis accidents affecting the SFP, these diverse strategies provide multiple methods to obtain additional makeup or spray to the SFP before the onset of any postulated offsite radiological release.

For all of the reasons stated above, the NRC staff finds that the licensee's requested exemptions, including the modified effective date, meet the underlying purpose of all of the standards in 10 CFR 50.47(b), and requirements in 10 CFR 50.47(c)(2) and 10 CFR part 50, Appendix E, and satisfy the special circumstances provision in 10 CFR 50.12(a)(2)(ii) in view of the greatly reduced risk of offsite radiological consequences associated with the permanently shutdown and defueled state of the Oyster Creek facility 285 days after permanent cessation of power operations.

The NRC staff has concluded that the exemptions being granted by this action will maintain an acceptable level of emergency preparedness at Oyster Creek and, if needed, that there is reasonable assurance that adequate offsite protective measures can and will be taken by State and local government agencies using a CEMP, or "all-hazards," approach in the unlikely event of a radiological emergency at Oyster Creek. Because the underlying purposes of the rules, as exempted, would continue to be achieved, even with the elimination of the requirements under 10 CFR part 50 to maintain formal offsite radiological emergency preparedness plans and the reduction in the scope of the onsite emergency planning activities at Oyster Creek, the special circumstances required by 10 CFR 50.12(a)(2)(ii) exist.

E. Environmental Considerations

In accordance with 10 CFR 51.31(a), the Commission has determined that the reissuing the EP exemptions with a revised effective date will not have a significant effect on the quality of the human environment. The NRC staff previously analyzed the October 16,

2018, EP exemptions in a Finding of No Significant Impact and associated Environmental Assessment published in the **Federal Register** on August 13, 2018 (83 FR 40092). That evaluation remains valid as to all aspects of the EP exemptions other than the revised effective date. The NRC staff analyzed the environmental impacts of the revised effective date in a separate Finding of No Significant Impact and associated Environmental Assessment published in the **Federal Register** on May 1, 2019 (84 FR 18586).

IV. Conclusions

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, reissuing the specific EP exemptions originally granted on October 16, 2018, with the revised effective date of 285 days after permanent cessation of operations will not present an undue risk to the public health and safety and is consistent with the common defense and security. Also, special circumstances are present. Therefore, the Commission hereby reissues Exelon's exemption from certain EP requirements in 10 CFR 50.47(b), 10 CFR 50.47(c)(2), and 10 CFR part 50, Appendix E, as discussed and evaluated in detail in the NRC staff's safety evaluation associated with these exemptions. Oyster Creek permanently ceased power operations on September 17, 2018. Therefore, the revised effective date of the reissued exemptions is June 29, 2019.

Dated at Rockville, Maryland, this 11th day of June, 2019.

For the Nuclear Regulatory Commission.

/RA/

John R. Tappert,
Director, Division of Decommissioning,
Uranium Recovery and Waste Processing.

[FR Doc. 2019-12803 Filed 6-17-19; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-219; NRC-2018-0237]

Holtec Decommissioning International, LLC; Oyster Creek Nuclear Generating Station

AGENCY: Nuclear Regulatory Commission.

ACTION: Environmental assessment and finding of no significant impact; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of exemptions in response to a November 30, 2018, request from Holtec

Decommissioning International, LLC (HDI), for the Oyster Creek Nuclear Generating Station (Oyster Creek). The exemptions would permit HDI to use funds from the Oyster Creek decommissioning trust fund (DTF or the Trust) for irradiated fuel management activities and site restoration. The exemptions would also allow HDI to use withdrawals from the Trust for these activities without prior notification to the NRC. The NRC is issuing a final Environmental Assessment (EA) and final Finding of No Significant Impact (FONSI) associated with the proposed exemptions.

DATES: The EA and FONSI referenced in this document are available on June 18, 2019.

ADDRESSES: Please refer to Docket ID NRC-2018-0237 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2018-0237. Address questions about NRC docket IDs in *Regulations.gov* to Jennifer Borges; telephone: 301-287-9127; email: Jennifer.Borges@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document. In addition, for the convenience of the reader, the ADAMS accession numbers are provided in a table in the "Availability of Documents" section of this document.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Amy M. Snyder, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone:

301-415-6822; email: Amy.Snyder@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC is considering issuance of exemptions from paragraphs 50.82(a)(8)(i)(A) and 50.75(h)(1)(iv) of title 10 of the *Code of Federal Regulations* (10 CFR) for Renewed Facility Operating License No. DPR-16, issued to Exelon Generation Company, LLC (Exelon) for the Oyster Creek facility located in Ocean County, New Jersey. On August 31, 2018, Exelon, Oyster Creek Environmental Protection, LLC (OCEP), and HDI submitted a License Transfer Application (LTA) requesting NRC approval to transfer the Oyster Creek Renewed Facility Operating License and the General License for the Oyster Creek Independent Spent Fuel Storage Installation (ISFSI) to OCEP, as the licensed owner, and to HDI, as the licensed operator.

By letter dated November 30, 2018 (ADAMS Accession No. ML18334A215), HDI requested exemptions from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv). The exemptions would allow HDI to use funds from the Trust for irradiated fuel management and site restoration activities without prior notice to the NRC, in the same manner that funds from the Trust are used under 10 CFR 50.82(a)(8) for decommissioning activities. These exemptions would only apply following NRC approval of the LTA and closing of the underlying transaction.

In accordance with 10 CFR 51.21, the NRC prepared the following EA that analyzes the environmental impacts of the proposed action. Based on the results of this EA, which are provided in Section II of this document, and in accordance with 10 CFR 51.31(a), the NRC has determined not to prepare an environmental impact statement for the proposed licensing action, and is issuing a final FONSI.

II. Environmental Assessment

Description of the Proposed Action

The proposed action would partially exempt HDI from meeting the requirements set forth in 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv). Specifically, the proposed action would allow HDI to use funds from the Trust for irradiated fuel management and site restoration activities not associated with radiological decontamination and would exempt HDI from meeting the requirement for prior notification to the NRC for these activities.

The proposed action is in accordance with HDI's application dated November 30, 2018 (ADAMS Accession No. ML18334A215).

Need for the Proposed Action

As required by 10 CFR 50.82(a)(8)(i)(A), decommissioning trust funds may be used by HDI if the withdrawals are for legitimate decommissioning activity expenses, consistent with the definition of decommissioning in 10 CFR 50.2. This definition addresses radiological decontamination and does not include activities associated with irradiated fuel management or site restoration. Similarly, the requirements of 10 CFR 50.75(h)(1)(iv) restrict the use of decommissioning trust fund disbursements (other than for ordinary and incidental expenses) to decommissioning expenses until final decommissioning has been completed. Therefore, partial exemptions from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv) are needed to allow HDI to use funds from the Trust for irradiated fuel management and site restoration activities.

HDI stated that Table 1 of the application dated November 30, 2018, demonstrates that the DTF contains the amount needed to cover the estimated costs of radiological decommissioning, as well as spent fuel management and site restoration activities. The adequacy of funds in the Trust to cover the costs of activities associated with irradiated fuel management, site restoration, and radiological decontamination through license termination is supported by the revised Oyster Creek Post-Shutdown Decommissioning Activities Report submitted by HDI in a letter dated, September 28, 2018 (ADAMS Accession No. ML18275A116). HDI stated that it needs access to the funds in the Trust in excess of those needed for radiological decontamination to support irradiated fuel management and site restoration activities not associated with radiological decontamination.

The requirements of 10 CFR 50.75(h)(1)(iv) further provide that, except for decommissioning withdrawals being made under 10 CFR 50.82(a)(8) or for payments of ordinary administrative costs and other incidental expenses of the Trust, no disbursement may be made from the Trust until written notice of the intention to make a disbursement has been given to the NRC at least 30 working days in advance of the intended disbursement. Therefore, an exemption from 10 CFR 50.75(h)(1)(iv) is needed to allow HDI to use funds from the Trust for irradiated fuel

management and site restoration activities without prior NRC notification.

In summary, by letter dated November 30, 2018, HDI requested exemptions to allow Trust withdrawals, without prior written notification to the NRC, for irradiated fuel management and site restoration activities.

Environmental Impacts of the Proposed Action

The NRC has completed its evaluation of the environmental impacts of the proposed action.

The proposed action involves exemptions from requirements that are of a financial or administrative nature and that do not have an impact on the environment. The NRC has completed its evaluation of the proposed action and concludes that there is reasonable assurance that adequate funds are available in the Trust to complete all activities associated with decommissioning and irradiated fuel management and site restoration. There is no decrease in safety associated with the use of the Trust to fund activities associated with irradiated fuel management and site restoration. Paragraph 50.82(a)(8)(v) of 10 CFR requires a licensee to submit a financial assurance status report annually between the time of submitting its decommissioning cost estimate and submitting its final radiation survey and demonstrating that residual radioactivity has been reduced to a level that permits termination of its license. Paragraph 50.82(a)(8)(vi) of 10 CFR requires that if the remaining balance, plus expected rate of return, plus any other financial surety mechanism does not cover the estimated costs to complete the decommissioning, additional financial assurance must be provided to cover the cost of completion. These annual reports provide a means for the NRC to monitor the adequacy of available funding. Since the exemptions would allow HDI to use funds from the Trust that are in excess of those required for radiological decontamination of the site and the adequacy of funds dedicated for radiological decontamination are not affected by the proposed exemptions, there is reasonable assurance that there will be no environmental impact due to lack of adequate funding for decommissioning.

The proposed action will not significantly increase the probability or consequences of radiological accidents. Additionally, the NRC has concluded that the proposed changes have no direct radiological impacts. There

would be no change to the types or amounts of radiological effluents that may be released, therefore, no change in occupational or public radiation exposure from the proposed changes. There are no materials or chemicals introduced into the plant that could affect the characteristics or types of effluents released offsite. In addition, the method of operation of waste processing systems will not be affected by the exemption. The proposed exemption will not result in changes to the design basis requirements of structures, systems, and components (SSCs) that function to limit or monitor the release of effluents. All the SSCs associated with limiting the release of effluents will continue to be able to perform their functions. Moreover, no changes would be made to plant buildings or the site property from the proposed changes. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed changes would have no direct impacts on land use or water resources, including terrestrial and aquatic biota, as they involve no new construction or modification of plant operational systems. There would be no changes to the quality or quantity of nonradiological effluents and no changes to the plant's National Pollutant Discharge Elimination System permits would be needed. In addition, there would be no noticeable effect on socioeconomic conditions in the region, no environment justice impacts, no air quality impacts, and no impacts to historic and cultural resources from the proposed changes. Therefore, there are no significant nonradiological environment impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

Environmental Impacts of the Alternatives to the Proposed Action

As an alternative to the proposed action, the NRC considered denial of the proposed action (*i.e.*, the “no-action” alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

There are no unresolved conflicts concerning alternative uses of available resources under the proposed action.

Agencies or Persons Consulted

No additional agencies or persons were consulted regarding the environmental impact of the proposed action. On May 16, 2019 (ADAMS Accession No. ML19137A015), the State of New Jersey representatives were notified of the EA and FONSI.

III. Finding of No Significant Impact

HDI has proposed exemptions from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv), which would allow HDI to use funds from the Trust for irradiated fuel management and site restoration activities, without prior written notification to the NRC. The proposed action would not significantly affect plant safety, would not have a significant adverse effect on the probability of an accident occurring, and would not have any significant radiological or nonradiological impacts. The reason the human environment would not be significantly affected is that the proposed action involves exemptions from requirements that are of a financial or administrative nature and that do not have an impact of the human environment. Consistent with 10 CFR 51.21, the NRC conducted the EA for the proposed action, and this FONSI incorporates by reference the EA included in Section II of this document. Therefore, the NRC concludes that the proposed action will not have significant effects on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

Other than HDI's letter dated November 30, 2018, there are no other environmental documents associated with this review. This document is available for public inspection as indicated in Section I of this document.

Previous considerations regarding the environmental impacts of operating Oyster Creek Nuclear Generating Station, in accordance with its renewed operating license, is described in the “Final Environmental Statement for Oyster Creek Nuclear Generating Station,” dated December 1974, and NUREG-1437, Supplement 28, “Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Regarding Oyster Creek Nuclear Generating Station,” Volumes 1 and 2, Final Report, dated January 2007 (ADAMS Accession No. ML070100234 and ML070100258).

IV. Availability of Documents

Date	Title	ADAMS Accession No.
5/16/2019	Notification from NRC to State of New Jersey of intent to publish EA/FONSI	ML19137A015
11/30/2018	Letter from HDI to NRC titled "Request for Exemption from 10 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv)".	ML18334A215
2/14/2018	Letter from Exelon to NRC titled "Certification of Permanent Cessation of Power Operations for Oyster Creek Nuclear Generating Station".	ML18045A084
5/21/2018	Letter from Exelon to NRC titled "Oyster Creek Nuclear Generating Station—Post-Shutdown Decommissioning Activities Report".	ML18141A775
8/31/2018	Application for Order Approving Direct Transfer of Renewed Facility Operating License and General License and Proposed Conforming License Amendment Oyster Creek Nuclear Generating Station.	ML18243A489
9/25/2018	Letter from Exelon to NRC titled "Certification of Permanent Removal of Fuel from the Reactor Vessel for Oyster Creek Nuclear Generating Station".	ML18268A258
9/28/2018	Letter from HDI to NRC titled "Notification of Revised Post-Shutdown Decommissioning Activities Report and Revised Site-Specific Decommissioning Cost Estimate for Oyster Creek Nuclear Generating Station".	ML18275A116
12/1974	Final Environmental Statement for Oyster Creek Nuclear Generating Station	ML072200150
1/2007	NUREG-1437, Supplement 28, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Regarding Oyster Creek Nuclear Generating Station," Volumes 1 and 2.	ML070100234 ML070100258

Dated at Rockville, Maryland, on June 13, 2019.

For the Nuclear Regulatory Commission.

Bruce A. Watson,

*Chief, Reactor Decommissioning Branch,
Division of Decommissioning, Uranium
Recovery, and Waste Programs, Office of
Nuclear Material Safety and Safeguards.*

[FR Doc. 2019-12799 Filed 6-17-19; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2019-0001]

Sunshine Act Meetings

TIME AND DATE: Week of June 17, 2019.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of June 17, 2019

Tuesday, June 18, 2019

9:55 a.m. Affirmation Session (Public Meeting) (Tentative)
Exelon Generation Co., LLC (Oyster Creek Nuclear Generating Station), Requests for Hearing in License Transfer Proceeding (Tentative)

This meeting will be webcast live at the Web address—<http://www.nrc.gov/>.

10:00 a.m. Briefing on Human Capital and Equal Employment Opportunity (Public Meeting) (Contact: Jason Lising: 301-287-0569)

This meeting will be webcast live at the Web address—<http://www.nrc.gov/>.

Thursday, June 20, 2019

10:00 a.m. Briefing on Results of the Agency Action Review Meeting

(Public Meeting) (Contact: Andrea Mayer: 301-415-1081)

This meeting will be webcast live at the Web address—<http://www.nrc.gov/>.
Additional Information: By a vote of 4-0 on June 13 and 14, 2019, the Commission determined pursuant to U.S.C. 552b(e) and '9.107(a) of the Commission's rules that the above referenced Affirmation Session be held with less than one week notice to the public. The meeting is scheduled on June 18, 2019.

CONTACT PERSON FOR MORE INFORMATION:

For more information or to verify the status of meetings, contact Denise McGovern at 301-415-0681 or via email at Denise.McGovern@nrc.gov. The schedule for Commission meetings is subject to change on short notice.

The NRC Commission Meeting Schedule can be found on the internet at: <http://www.nrc.gov/public-involve/public-meetings/schedule.html>.

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., Braille, large print), please notify Kimberly Meyer-Chambers, NRC Disability Program Manager, at 301-287-0739, by videophone at 240-428-3217, or by email at Kimberly.Meyer-Chambers@nrc.gov. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555 (301-415-1969), or by email at Wendy.Moore@nrc.gov.

Dated at Rockville, Maryland, this 14th day of June 2019.

For the Nuclear Regulatory Commission.

Denise L. McGovern,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2019-13043 Filed 6-14-19; 4:15 pm]

BILLING CODE 7590-01-P

POSTAL SERVICE

Product Change—Priority Mail and First-Class Package Service Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* June 18, 2019.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202-268-3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on June 13, 2019, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & First-Class Package Service Contract 104 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2019-152, CP2019-169.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2019-12825 Filed 6-17-19; 8:45 am]

BILLING CODE 7710-12-P