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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-237 and 50-249; NRC-2024-0080]

Constellation Energy Generation, LLC; Dresden Nuclear Power Station, Units 2 and 3; Subsequent License Renewal Application

AGENCY: Nuclear Regulatory Commission.

ACTION: Opportunity to request a hearing and to petition for leave to intervene.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is considering an application for the subsequent license renewal of Renewed Facility Operating License Nos. DPR-19 and DPR-25, which authorize Constellation Energy Generation, LLC (CEG, the applicant) to operate Dresden Nuclear Power Station (Dresden), Units 2 and 3. The subsequent renewed licenses would authorize CEG to operate Dresden for an additional 20 years beyond the period specified in each of the current licenses. The current operating license for Dresden, Unit 2, expires December 22, 2029. The current operating license for Dresden, Unit 3, expires January 12, 2031.

DATES: A request for a hearing or petition for leave to intervene must be filed by **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: Please refer to Docket ID NRC-2024-0080 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 <https://www.regulations.gov> and search for Docket ID NRC-2024-0080. Address questions about Docket IDs in Regulations.gov to Stacy Schumann; telephone: 301-415-0624; email: Stacy.Schumann@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 <https://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, at 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.

- **Public Library:** A copy of the subsequent license renewal application for Dresden, Units 2 and 3, can be accessed at the following public libraries: Morris Area Public Library, 604 Liberty St, Morris, IL 60450, and Coal City Public Library District, 85 N Garfield St, Coal City, IL 60416.

- **NRC’s PDR:** The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mark Yoo, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-8583; email: Mark.Yoo@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC received a subsequent license renewal application (SLRA) from CEG, dated April 17, 2024 (ADAMS Package Accession No. ML24108A007), filed pursuant to section 103 of the Atomic Energy Act of 1954, as amended (the Act), and part 54 of title 10 of the *Code of Federal Regulations* (10 CFR), “Requirements for Renewal of Operating Licenses for Nuclear Power Plants,” requesting the renewal of the operating licenses for Dresden, Units 2 and 3, at 2,957 megawatts thermal for each unit. The Dresden units are boiling-water reactors located in Morris, Illinois. A notice of receipt of the SLRA was published in the *Federal Register* on May 7, 2024, (89 FR 38197).

The NRC staff has determined that CEG has submitted sufficient information in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, 51.45, and 51.53(c), to enable the staff to undertake a review of the application, and that the application is, therefore, acceptable for docketing. The current docket nos. 50-237 and 50-249 for the Renewed Facility Operating License Nos. DPR-19 and DPR-25 will be retained. The determination to accept the SLRA for docketing does not constitute a determination that a subsequent renewed license should be issued and does not preclude the NRC staff from requesting additional information as the review proceeds.

Before issuance of the requested subsequent renewed licenses, the NRC will have made the findings required by the Act and the Commission's rules and regulations. In accordance with 10 CFR 54.29, the NRC may issue a subsequent renewed license on the basis of its review if it finds that actions have been identified and have been or will be taken with respect to: (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified as requiring aging management review; and (2) time-limited aging analyses that have been identified as requiring review, such that there is reasonable assurance that the activities authorized by the renewed license will continue to be conducted in accordance with the current licensing basis and that any changes made to the plant's current licensing basis will comply with the Act and the Commission's regulations.

In *Florida Power & Light Co.* (Turkey Point Nuclear Generating Units 3 and 4), CLI-22-2 (ADAMS Accession No. ML22055A496), the Commission found that 10 CFR 51.53(c)(3), which at the time allowed applicants for "initial" license renewal to rely on the 2013 Generic Environmental Impact Statement for License Renewal (GEIS) in their environmental reports for "Category 1" issues, does not apply to applications for subsequent license renewal. The Commission further found that the GEIS itself does not describe the environmental impacts of operation during the period of subsequent license renewal. In CLI-22-2 the Commission found that because the 2013 GEIS did not consider the impacts from operations during the subsequent license renewal period,

applicants for subsequent license renewal must evaluate on a site-specific basis “Category 1” impacts. Separately, in Staff Requirements Memorandum (SRM) - SECY-21-0066 - Rulemaking Plan for Renewing Nuclear Power Plant Operating Licenses - Environmental Review (RIN 3150-AK32; NRC-2018-0296), dated February 24, 2022, (ADAMS Accession No. ML22053A308), the Commission directed the staff to review and update the 2013 GEIS so that it covers operation during the subsequent license renewal period.

In SRM-M240516A: Affirmation Session - SECY-24-0017: Final Rule - Renewing Nuclear Power Plant Operating Licenses - Environmental Review (RIN 3150-AK32; NRC-2018-0296), dated May 16, 2024, (ADAMS Package Accession No. ML24137A213), the Commission approved a final rule that will amend 10 CFR part 51, “Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions” by, among other things, updating Table B-1, “Summary of Findings on NEPA [National Environmental Policy Act] Issues for License Renewal of Nuclear Power Plants,” in appendix B, “Environmental Effect of Renewing the Operating License of a Nuclear Power Plant,” to 10 CFR part 51, subpart A, “National Environmental Policy Act-Regulations Implementing Section 102(2).” The updates to Table B-1 are supported by the revised NUREG-1437, Revision 2, “Generic Environmental Impact Statement for License Renewal of Nuclear Plants” (LR GEIS). The updates fully account for one term of subsequent license renewal (SLR) by reflecting a thorough evaluation of the environmental impacts of SLR in the LR GEIS; the staff has also updated associated guidance. Additionally, the final rule will remove the word “initial” from 10 CFR 51.53(c)(3) and make conforming changes in 10 CFR 51.53(c)(3)(ii) and 10 CFR 51.95(c). The final *Federal Register* notice for the updated rule has not yet been published. The licensee's environmental report evaluated “Category 1” impacts via site-specific analyses because the GEIS rulemaking was not complete when the licensee submitted its SLR application.

II. Opportunity to Request a Hearing and Petition for Leave to Intervene

Within 60 days after the date of publication of this notice, any person (petitioner) whose interest may be affected by this action may file a request for a hearing and petition for leave to intervene (petition) with respect to the action. Petitions shall be filed in accordance with the Commission's "Agency Rules of Practice and Procedure" in 10 CFR part 2. Interested persons should consult 10 CFR 2.309. If a petition is filed, the presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

Petitions must be filed no later than 60 days from the date of publication of this notice in accordance with the filing instructions in the "Electronic Submissions (E-Filing)" section of this document. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii).

A State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h) no later than 60 days from the date of publication of this notice. Alternatively, a State, local governmental body, Federally recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

For information about filing a petition and about participation by a person not a party under 10 CFR 2.315, see ADAMS Accession No. ML20340A053 (<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML20340A053>) and the NRC's public website at <https://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing.html#participate>.

III. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings including documents filed by an interested State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof that requests to participate under 10 CFR 2.315(c), must be filed in accordance with 10 CFR 2.302. The E-Filing process requires participants to

submit and serve all adjudicatory documents over the internet, or in some cases, to mail copies on electronic storage media, unless an exemption permitting an alternative filing method, as further discussed, is granted. Detailed guidance on electronic submissions is located in the “Guidance for Electronic Submissions to the NRC” (ADAMS Accession No. ML13031A056) and on the NRC’s public website at <https://www.nrc.gov/site-help/e-submittals.html>.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at Hearing.Docket@nrc.gov, or by telephone at 301-415-1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC’s public website at <https://www.nrc.gov/site-help/e-submittals/getting-started.html>. After a digital ID certificate is obtained and a docket created, the participant must submit adjudicatory documents in Portable Document Format. Guidance on submissions is available on the NRC’s public website at <https://www.nrc.gov/site-help/electronic-sub-ref-mat.html>. A filing is considered complete at the time the document is submitted through the NRC’s E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. ET on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email confirming receipt of the document. The E-Filing system also distributes an email that provides access to the document to the NRC’s Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in

the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed to obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the "Contact Us" link located on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals.html>, by email to MSHD.Resource@nrc.gov, or by a toll-free call at 1-866-672-7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., ET, Monday through Friday, except Federal holidays.

Participants who believe that they have good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted in accordance with 10 CFR 2.302(b)-(d). Participants filing adjudicatory documents in this manner are responsible for serving their documents on all other participants. Participants granted an exemption under 10 CFR 2.302(g)(2) must still meet the electronic formatting requirement in 10 CFR 2.302(g)(1), unless the participant also seeks and is granted an exemption from 10 CFR 2.302(g)(1).

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket, which is publicly available at <https://adams.nrc.gov/ehd>, unless excluded pursuant to an order of the presiding officer. If you do not have an NRC-issued digital ID certificate as previously described, click "cancel" when the link requests certificates and you will be automatically directed to the NRC's electronic hearing docket where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information such as social security numbers, home addresses, or personal phone numbers in their filings unless an NRC regulation or other law requires submission of such information. With

respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants should not include copyrighted materials in their submission.

Information about the license renewal process can be found under the Reactor License Renewal section on the NRC's public website at <https://www.nrc.gov/reactors/operating/licensing/renewal.html>. Copies of the application to renew the operating licenses for Dresden, Units 2 and 3, are available for public inspection at the NRC's PDR, and on the NRC's public website at <https://www.nrc.gov/reactors/operating/licensing/renewal/applications.html> while the application is under review. The application may be accessed in ADAMS through the NRC Library on the internet at <https://www.nrc.gov/reading-rm/adams.html> under ADAMS Package Accession No. ML24108A007. As previously stated, persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS may contact the NRC's PDR reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by email to PDR.Resource@nrc.gov.

A copy of the subsequent license renewal application for Dresden, Units 2 and 3, is also available to local residents near the site at the public libraries listed in the ADDRESSES section of this document.

Dated: June 17, 2024.

For the Nuclear Regulatory Commission.

Lauren Gibson,
Chief,
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Division of New and Renewed Licenses,
Office of Nuclear Reactor Regulation.

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