

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
TMI-2 Solutions, LLC) Docket No. 50-320-LA-2
)
(License Amendment Request for Three Mile)
Island Nuclear Station, Unit 2))
)

ORDER

Eric Epstein has requested a two-week extension to the October 21, 2022, deadline for filing a hearing request and petition for leave to intervene in the matter of a TMI-2 Solutions, LLC license amendment application. As the basis for the request, Mr. Epstein cited a delay in responses to requests for additional information being made publicly available in the NRC's Agencywide Documents Access and Management System (ADAMS).¹ Pursuant to my authority under 10 C.F.R. § 2.346(b) and after consideration of Mr. Epstein's request, I am granting Mr. Epstein a 14-day extension to the filing deadline in this matter. Accordingly, Mr. Epstein's hearing requests and petition to intervene in this matter will be deemed timely if filed on or before Friday, November 4, 2022.

IT IS SO ORDERED.

For the Commission



A handwritten signature in black ink, appearing to read "Brooke P. Clark".

Brooke P. Clark
Secretary of the Commission

Dated at Rockville, Maryland,
this 20th day of October 2022.

¹ See TMI-2 Solutions, LLC; Three Mile Island Station, Unit No, 2, 87 Fed. Reg. 51,454, 51,454-63 (Aug. 22, 2022) (providing notice of opportunity to request a hearing and file petitions for leave to intervene regarding the license amendment application); email from Eric Epstein to Neil Sheehan, Amy Snyder, and Ted Smith, NRC (Oct. 6, 2022); email from Eric Epstein to NRC Hearing Docket (Oct. 12, 2022).

From: [Eric Epstein](#)
To: [Neil Sheehan](#); [Amy Snyder](#); [Ted Smith](#); [Docket, Hearing](#); [Docket, Hearing](#)
Cc: [Eric Epstein](#); [Patricia Smith](#)
Subject: [External_Sender] Re: Federal Register notice on TMI 2 decommissioning license amendment request
Date: Thursday, October 06, 2022 12:05:28 PM
Attachments: [TMI2DecommissioningLARFederalRegisterNotice.8-22-2022.pdf](#)

Folks:

Based on this delay and regulatory impediment to the filing due on 10/21/22 - which is now one week behind schedule for the RAIs - will the NRC be extending the filing deadline for Intervenors beyond 10/21/22?

The applicant/NRC's delay may actually amount to a two week setback, and materially impact my preparation.

Best,

Eric Epstein

On Oct 5, 2022, at 11:11 AM, Neil Sheehan wrote:

Hi Eric,

My apologies for the delay in responding. I'm told more information about the license amendment request should be made publicly available in our online documents system (ADAMS) within the next week.

Neil Sheehan
NRC Public Affairs
(610) 337-5331

From: Eric Epstein <lechambon@comcast.net>
Sent: Saturday, October 01, 2022 8:59 AM
To: Neil Sheehan <Neil.Sheehan@nrc.gov>; Amy Snyder <Amy.Snyder@nrc.gov>
Cc: Eric Epstein <epstein@efmr.org>; Patricia Smith <punk1021@comcast.net>
Subject: [External_Sender] Re: Federal Register notice on TMI 2 decommissioning license amendment request

Neil:

The clock is ticking on TMI-2 LAR filings.
When can we expect the NRC's responses?

It is October 1.

Best,

Eric Epstei

On Aug 23, 2022, at 9:33 AM, Sheehan, Neil wrote:

I'm told the RAI responses are due by Sept. 30, 2022.

From: Eric Epstein <lechambon@comcast.net>
Sent: Tuesday, August 23, 2022 9:08 AM
To: Sheehan, Neil <Neil.Sheehan@nrc.gov>
Subject: [External_Sender] Re: Federal Register notice on TMI 2 decommissioning license amendment request

Ty!

What is the status of the NRC RAI on TMI-2 Tech Spec Amendments?

Eric

On Aug 23, 2022, at 9:00 AM, Sheehan, Neil <Neil.Sheehan@nrc.gov> wrote:

Eric,

Amy Snyder asked me to relay to you that the attachments you're seeking associated with the Three Mile Island 2 decommissioning license amendment request are non-public because they contain safeguards information.

Neil

From: Sheehan, Neil
Sent: Monday, August 22, 2022 10:52 AM
To: Eric Epstein <lechambon@comcast.net>

Subject: Federal Register notice on TMI 2 decommissioning
license amendment request

Eric,

In case you haven't seen this yet.

Comments are due by Sept. 21, 2022, and requests for
a hearing are due by Oct. 21, 2022.

<image001.png>

Neil Sheehan
NRC Public Affairs Officer
Region I
(610) 337-5331
cell: (484) 471-9233

From: [Eric Epstein](#)
To: [Docket, Hearing](#)
Cc: [Eric Epstein](#)
Subject: [External_Sender] Re: Federal Register notice on TMI 2 decommissioning license amendment request
Date: Wednesday, October 12, 2022 11:18:00 AM

Clara:

I making the request on behalf of myself as an Intervenor. The decision to intervene or not is based on the responses to the RAI for Proposed Decommissioning Specs License Amendment Request docketed on August 5, 2022.

[ML22210A08 https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML22210A0800](https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML22210A0800)

NRC staff apprised me on August 23, 2022 that the Responses were due on September 30, 2022. I was told on October 5, 2022 that the documents would be “publicly available within the next week” It is October 11, 2022, and based on the NRC’s timeline, the RAI réponses have been delayed by an additional two weeks. It is fair and reasonable to extend the October 21, 2022 date for filing for hearing until at least November 4, 2022.

Sincerely,

Eric Epstein
4100 nHillsdale Road
Harrisburg, PA 17110
717-635-8615

On Oct 12, 2022, at 10:31 AM, Docket, Hearing <Hearing.Docket@nrc.gov> wrote:

Mr. Epstein,

The Office of the Secretary is in receipt of your email (attached) regarding a two-week extension of deadline to file a hearing request in relation to the Three Mile Island Station, Unit No. 2 license amendment application.

Please clarify if the request for extension is for yourself or are you making the request on behalf of TMI Alert.

Thank you,

Clara (Rica) Sola
Nuclear Regulatory Commission
Office of the Secretary
Rulemakings and Adjudications Staff
Clara.Sola@nrc.gov
301-792-6461

<Mail Attachment.eml>

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Island Nuclear Station, Unit 2))
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Extending Deadline to Request for Hearing)** have been served upon the following persons by Electronic Information Exchange.

U.S. Nuclear Regulatory Commission
Office of Commission Appellate Adjudication
Mail Stop: O-16B33
Washington, DC 20555-0001
E-mail: ocaamail.resource@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Mail Stop: O-16B33
Washington, DC 20555-0001
E-mail: hearingdocket@nrc.gov

U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
Washington, DC 20555-0001
E. Roy Hawkens, Chairman
E-mail: Roy.Hawkens@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop - O-14A44
Julie G. Ezell
Adam S. Gendelman
Mauri T. Lemoncelli
Ethan P. Licon
Kevin C. Roach
David E. Roth
Sherwin E. Turk

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Eric Epstein
4100 Hillsdale Road
Harrisburg, PA 17112
E-mail: epstein@efmr.org

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 20th day of October 2022