



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

October 20, 2016

Sabatini Monatesti  
919 Belair Drive  
Berwick, PA 18603

SUBJECT: REQUEST FOR ACCESS TO SENSITIVE UNCLASSIFIED NON-SAFEGUARDS INFORMATION RELATED TO THE APPLICATION FOR INDIRECT TRANSFER OF THE SUSQUEHANNA STEAM ELECTRIC STATION

Dear Mr. Monatesti:

The U.S. Nuclear Regulatory Commission (NRC) staff (Staff) is responding to your request (Access Request) for access to documents containing sensitive unclassified non-safeguards information (SUNSI).<sup>1</sup> Pursuant to the Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information for Contention Preparation (SUNSI Order),<sup>2</sup> the Staff is denying your Access Request because, based on the information provided in the Access Request, there is not a reasonable basis to believe that you are likely to establish standing to participate in the NRC proceeding and you have not established a legitimate need for access to the SUNSI.

On June 29, 2016, Susquehanna Nuclear, LLC (Susquehanna Nuclear), on behalf of itself and Riverstone Holdings LLC (Riverstone), submitted to the NRC an application for NRC consent to the indirect transfer of Susquehanna Nuclear's 90% interest in the licenses for the Susquehanna Steam Electric Station (SSES), Units 1 and 2, and conforming amendments (License Transfer Application).<sup>3</sup> Currently, the ultimate parent of Susquehanna Nuclear is Talen Energy Corporation (Talen Energy).<sup>4</sup> Approximately 65% of Talen Energy common stock is held by public shareholders and approximately 35% is held by portfolio companies ultimately controlled by Riverstone (*i.e.*, Raven Power Holdings, LLC (Raven), C/R Energy Jade, LLC (Jade), and Sapphire Power Holdings, LLC (Sapphire)).<sup>5</sup> The License Transfer Application discusses a merger agreement by which Raven, Jade, and Sapphire would convert their existing ownership of approximately 35% of the shares of Talen Energy common stock to 100%

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<sup>1</sup> Letter from Sabatini Monatesti to NRC, Request for Hearing and Information – License Transfer (Oct. 11, 2016) (Access Request) (Enclosure 1).

<sup>2</sup> Susquehanna Nuclear, LLC; Susquehanna Steam Electric Station, Units 1 and 2; Consideration of Indirect License Transfer, 81 Fed. Reg. 68462, 68465-66 (Oct. 4, 2016).

<sup>3</sup> Letter from Timothy S. Rausch, President and Chief Nuclear Officer, Susquehanna Nuclear, to NRC, Susquehanna Steam Electric Station, Request for Order Approving Indirect Transfer of Control (June 29, 2016) (Agencywide Documents Access and Management System (ADAMS) Accession Nos. ML16181A415, ML16181A417, ML16181A419, ML16181A420) (License Transfer Application).

<sup>4</sup> License Transfer Application at Enclosure, p. 1.

<sup>5</sup> *Id.* at 1-2.

ownership.<sup>6</sup> Since each of these portfolio companies is ultimately controlled by Riverstone, the indirect transfer would result in Riverstone becoming the new ultimate parent of Susquehanna Nuclear.<sup>7</sup>

As part of its License Transfer Application, Susquehanna Nuclear stated that Attachment 3P and Attachment 4P to the application contain confidential commercial and financial information; therefore, Susquehanna Nuclear requested that this information be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390 and provided non-proprietary versions of these attachments from which the confidential commercial and financial information has been redacted (*i.e.*, Attachment 3NP and Attachment 4NP).<sup>8</sup> Attachment 3 consists of tables containing, for each year from 2017 to 2021, the projected income for SSES Units 1 and 2, combined and individually, as well as sensitivity studies for each of these cases and the projected six-month fixed operating costs for each unit.<sup>9</sup> Attachment 4 consists of a table containing, for each year from 2017 to 2021, the projected capacity factor<sup>10</sup> for SSES Units 1 and 2, combined and individually.<sup>11</sup> In the non-proprietary versions of these attachments, the information in the tables is redacted (*i.e.*, the titles and column and row headings of the tables are visible but the individual cells of the tables are blank). Susquehanna Nuclear provided an affidavit of its President and Chief Nuclear Officer affirming that the redacted information is commercial information, the disclosure of which would adversely affect Susquehanna Nuclear; that the redacted information has been held in confidence by Susquehanna Nuclear; that Susquehanna Nuclear customarily keeps such information in confidence and there is a rational basis for holding such information in confidence; that the redacted information is not available from public sources and could not be gathered readily from other publicly available information; and that public disclosure of the redacted information would cause substantial harm to the competitive position of Susquehanna Nuclear because such information has significant commercial value to Susquehanna Nuclear.<sup>12</sup>

In an August 26, 2016 letter, the Staff stated that it had reviewed the Susquehanna Nuclear request to have the information in Attachment 3P and Attachment 4P withheld from public disclosure.<sup>13</sup> On the basis of the statements in the affidavit provided by Susquehanna Nuclear, the Staff determined that the submitted information sought to be withheld contains proprietary

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<sup>6</sup> *Id.* at 2-3.

<sup>7</sup> License Transfer Application at 1.

<sup>8</sup> *Id.* at 2. The letter “P” refers to “proprietary” and the letters “NP” refer to “non-proprietary.”

<sup>9</sup> *Id.* at Enclosure, Attachment 3NP.

<sup>10</sup> “Capacity factor” and its effect on projected income is discussed in the License Transfer Application at Enclosure, p. 12-14.

<sup>11</sup> *Id.* at Enclosure, Attachment 4NP.

<sup>12</sup> *Id.* at Enclosure, Attachment 6.

<sup>13</sup> Letter from NRC to Timothy S. Rausch, President and Chief Nuclear Officer, Susquehanna Nuclear, Request for Withholding Information from Public Disclosure for Susquehanna Steam Electric Station, Units 1 and 2 (CAC Nos. MF8056 and MF8057) (Aug. 26, 2016) (ADAMS Accession No. ML16215A008).

commercial information and should be withheld from public disclosure.<sup>14</sup> Therefore, the Staff withheld Attachment 3P and Attachment 4P from public disclosure and, instead, made publicly available the non-proprietary versions of these documents, Attachment 3NP and Attachment 4NP.<sup>15</sup>

On October 4, 2016, the Staff published a notice in the *Federal Register* stating that it had received and was considering approval of the License Transfer Application.<sup>16</sup> The Staff provided the location of the publicly available version of the License Transfer Application, which included only the redacted versions of Attachment 3P and Attachment 4P.<sup>17</sup> The Staff also provided that any person who intended to participate as a party to the proceeding for the SSES license transfer by demonstrating standing and filing an admissible contention under 10 CFR 2.309 may request access to the License Transfer Application documents containing SUNSI (*i.e.*, Attachment 3P and Attachment 4P).<sup>18</sup> Such a request must be made within 10 days after publication of the *Federal Register* notice and must include:

- (1) A description of the licensing action with a citation to [the] Federal Register notice;
- (2) The name and address of the potential party and a description of the potential party's particularized interest that could be harmed by the [licensing] action . . . ; and
- (3) The identity of the individual or entity requesting access to SUNSI and the requestor's basis for the need for the information in order to meaningfully participate in [the] adjudicatory proceeding. In particular, the request must explain why publicly available versions of the information requested would not be sufficient to provide the basis and specificity for a proffered contention.<sup>19</sup>

The Staff will determine within 10 days of receipt of the request whether:

- (1) There is a reasonable basis to believe the petitioner is likely to establish standing to participate in [the] NRC proceeding; and
- (2) The requestor has established a legitimate need for access to SUNSI.<sup>20</sup>

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<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> 81 Fed. Reg. at 68462.

<sup>17</sup> *Id.* at 68463.

<sup>18</sup> *Id.* at 68465.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

If the Staff determines that the requestor satisfies both of these requirements, then the Staff will notify the requestor that access has been granted and instruct the requestor on how it may obtain copies of the requested documents, including any conditions that may apply to this access.<sup>21</sup> If the Staff determines that the requestor does not satisfy both of these requirements, then the Staff will notify the requestor and briefly state the reasons for the denial of the access request.<sup>22</sup>

On October 11, 2016, you submitted a letter to the NRC requesting, in part, access to Attachment 3P and Attachment 4P.<sup>23</sup> You stated that you required access to these documents in order to “discern whether [Riverstone] includes provisions and capital available for decommissioning of the [SSES], and I require information regarding their continued support of Salem Township property and recreational facilities.”<sup>24</sup> You stated that you “also wish to know if sufficient, trained work force will be available to ensure a successful transfer of responsibilities, and if [Riverstone] staffing adjustments exist in the planning for the transfer and subsequent operation of the [SSES].”<sup>25</sup> You asserted that Talen Energy had a “2015 loss of \$341 Million” and that there was a “continued downturn in energy prices.”<sup>26</sup> You asked, “[w]ho will be responsible for decommissioning cost, i.e., Pennsylvania Power and Light, Talen Energy or [Riverstone], i.e., if the license holder goes bankrupt? Who holds the liability?” You stated that you live two miles from the SSES and asserted that “Talen Energy . . . [is] increasing nuclear waste storage on site” and that “there are health and safety issues outstanding” at the SSES.<sup>27</sup>

The Staff has carefully considered your Access Request and has determined that, based on the information provided therein, you have not satisfied both of the requirements delineated in the SUNSI Order; therefore, the Staff cannot grant your Access Request.

First, you have not demonstrated that there is a reasonable basis for the Staff to believe that you are likely to establish standing to participate in the SSES license transfer proceeding. Your Access Request appears to claim that you have standing based on your assertion that you live two miles from the SSES.<sup>28</sup> However, whether proximity to an operating nuclear power plant

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<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> Access Request at 1.

<sup>24</sup> *Id.*

<sup>25</sup> *Id.* at 2.

<sup>26</sup> *Id.*

<sup>27</sup> *Id.* On October 17, 2016, after the October 14 deadline for the filing of access requests, you submitted an email to the NRC listing “a few areas of investigation.” Email from Sabatini Monatesti to NRC, RE: Talen Energy license transfer (Susquehanna) (Oct. 17, 2016) (Email Regarding Access Request) (Enclosure 2). Pursuant to the SUNSI Order, the Staff did not consider this additional information as part of your Access Request because it was not accompanied by a showing of good cause for its late filing addressing why it could not have been filed earlier. See 81 Fed. Reg. at 68465. Additionally, even if the Staff had considered this additional information, it would not have changed the fact that your Access Request cannot be granted because it does not demonstrate that you are likely to establish standing and that you have a legitimate need for access to Attachment 3P and Attachment 4P.

<sup>28</sup> Access Request at 2.

gives rise to a presumption of standing in an NRC proceeding involves a case-by-case analysis considering the “‘obvious potential for offsite [radiological] consequences,’ or lack thereof, from the application at issue, and specifically ‘taking into account the nature of the proposed action and the significance of the radioactive source.’”<sup>29</sup> The Commission has found that license transfers, even for operating nuclear power plants, “typically involve little if any radiological risk, as there are generally no changes to the physical plant, its operating procedures, or its design basis accident analysis.”<sup>30</sup> Thus, since there is no obvious potential for offsite radiological consequences from the proposed SSES indirect license transfer, your assertion of your proximity to the site, on its own, is not sufficient to demonstrate standing.

In the absence of a presumption of standing due to proximity and an obvious potential for offsite radiological consequences, a petitioner may establish standing in an NRC proceeding by making a particularized pleading of “(1) an actual or threatened, concrete and particularized injury [(injury-in-fact)], that (2) is fairly traceable to the challenged action, (3) falls among the general interests protected by the Atomic Energy Act . . . , and (4) is likely to be redressed by a favorable decision.”<sup>31</sup> Therefore, in order to demonstrate that you are likely to establish standing, your Access Request must demonstrate that you are subject to an increased risk of radiological harm that is fairly traceable to the proposed license transfer. Your Access Request, though, does not make this causal connection. For instance, you state that you are concerned with a proposed increase in nuclear waste storage at the SSES and with “outstanding” health and safety issues at the SSES,<sup>32</sup> but these concerns are independent of the proposed license transfer; that is, they are not fairly traceable to the license transfer. You express concerns for Susquehanna Nuclear’s continued support of Salem Township property and recreational facilities;<sup>33</sup> however, this is not an injury-in-fact that falls among the general interests protected by the Atomic Energy Act. You ask “if sufficient, trained work force will be available to ensure a successful transfer of responsibilities, and if [Riverstone] staffing adjustments exist in the planning for the transfer and subsequent operation of the [SSES]”;<sup>34</sup> however, this concern is not fairly traceable to the proposed license transfer because the License Transfer Application states that the transfer “will not require any change in the management or staffing of the nuclear organization, or any change in its procedures”<sup>35</sup> and your Access Request does not refute this statement. Finally, you express concerns that there will not be enough funds available to

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<sup>29</sup> *Consumers Energy Co.* (Big Rock Point Independent Spent Fuel Storage Installation), CLI-07-19, 65 NRC 423 (2007) (*quoting Exelon Generation Co.* (Peach Bottom Atomic Power Station, Units 2 and 3), CLI-05-26, 62 NRC 577, 580-81 (2005)).

<sup>30</sup> *Id.*

<sup>31</sup> *International Uranium (USA) Corp.* (White Mesa Uranium Mill), CLI-01-21, 54 NRC 247, 250 (2001) (*citing Sequoyah Fuels Corp.* (Gore, Oklahoma Site Decommissioning), CLI-01-02, 53 NRC 9, 13 (2001)). See also *Steel Co. v. Citizens for a Better Env’t*, 523 U.S. 83, 103-04 (1998); *Kelley v. Selin*, 42 F.3d 1501, 1508 (6th Cir. 1995).

<sup>32</sup> Access Request at 2. To the extent that you are concerned about current or ongoing safety issues at the SSES, you may request via the NRC’s 10 CFR 2.206 petition process that the NRC institute a proceeding to take such actions as may be proper against the licensee for the alleged safety issues.

<sup>33</sup> *Id.* at 1.

<sup>34</sup> *Id.* at 2.

<sup>35</sup> License Transfer Application at Enclosure, p. 11.

decommission the SSES.<sup>36</sup> Again, however, you do not explain how these concerns amount to an injury-in-fact that is fairly traceable to the proposed license transfer. On the contrary, the License Transfer Application states that decommissioning funding will not be affected by the proposed license transfer because Susquehanna Nuclear provides decommissioning financial assurance through the prepayment method such that the decommissioning trust funds for the SSES, which are segregated from Susquehanna Nuclear's assets and outside of its administrative control, already contain, as of December 31, 2015, \$450,015,791 for Unit 1 and \$501,198,805 for Unit 2.<sup>37</sup> The License Transfer Application further states that, after taking credit for a 2% real rate of return on the existing funds in these decommissioning trust funds as is allowed by the NRC's regulations, the funds are projected to exceed Susquehanna Nuclear's share of the NRC's minimum regulatory requirement for decommissioning.<sup>38</sup> Your Access Request does not refute this and, thus, does not demonstrate that the proposed license transfer will affect the SSES decommissioning trust funds and cause you injury-in-fact. Based on the above, you have not demonstrated that you are likely to establish standing and, therefore, your Access Request is denied.

Second, you have not established a legitimate need for access to Attachment 3P and Attachment 4P because you have not demonstrated that you need the information that is in these documents and that was redacted from Attachment 3NP and Attachment 4NP in order to meaningfully participate in the license transfer proceeding.<sup>39</sup> As explained above, the redacted SUNSI consists of the projected income, the six-month fixed operating costs, and the capacity factor assumptions for the SSES for the years 2017 to 2021. The Commission has granted access to such proprietary financial information in a license transfer proceeding when the requestor has demonstrated that it needed access to this information in order to submit sufficiently specific and supported contentions regarding the applicant's financial qualifications.<sup>40</sup> However, your Access Request does not challenge Susquehanna Nuclear's financial qualifications or make any arguments that are related to the redacted financial information. For instance, your Access Request does not explain how the redacted financial information would affect your concerns regarding the funding of the decommissioning of the SSES given that, according to the License Transfer Application, the SSES decommissioning trust funds are prepaid.<sup>41</sup> Additionally, all of the discussions in the License Transfer Application regarding decommissioning are publicly available.<sup>42</sup> Since you have not explained why Attachment 3NP

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<sup>36</sup> Access Request at 1-2.

<sup>37</sup> License Transfer Application at Enclosure, p. 15.

<sup>38</sup> *Id.*

<sup>39</sup> See *South Texas Project Nuclear Operating Co.* (South Texas Project, Units 3 and 4), CLI-10-24, 72 NRC 451, 465 (2010) ("[T]he request for SUNSI should include: (1) an explanation of the importance of the requested information to the proceeding, i.e., how the information relates to the license application or to NRC requirements or guidance, and how it will assist the requester in seeking intervention; and (2) an explanation of why existing publicly available versions of the application would not be sufficient.").

<sup>40</sup> *Consolidated Edison Co. of New York and Entergy Nuclear Indian Point 2, LLC, and Entergy Nuclear Operations, Inc.* (Indian Point, Units 1 and 2), CLI-01-8, 53 NRC 225, 230 (2001).

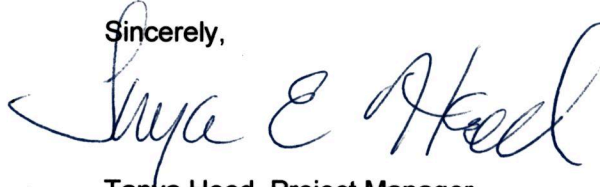
<sup>41</sup> License Transfer Application at Enclosure, p. 15.

<sup>42</sup> See License Transfer Application at Enclosure, p. 15-16 and Enclosure, Attachment 5.

and Attachment 4NP would be insufficient to provide the basis for your claims, your Access Request is denied.

In conclusion, since your Access Request does not satisfy both of the requirements stated in the SUNSI Order, it is denied. Pursuant to the SUNSI Order, you may challenge this determination by filing a challenge within 5 days of receipt of this determination with: "(a) The presiding officer designated in this proceeding; (b) if no presiding officer has been appointed, the Chief Administrative Judge, or if he or she is unavailable, another administrative judge, or an administrative law judge with jurisdiction pursuant to 10 CFR 2.318(a); or (c) an officer if that officer has been designated to rule on information access issues."<sup>43</sup>

Sincerely,

A handwritten signature in blue ink, appearing to read "Tanya E. Hood". The signature is fluid and cursive, with the first name "Tanya" being the most prominent part.

Tanya Hood, Project Manager  
Plant Licensing Branch I-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-387, 50-388, 72-28

Enclosures:

1. Access Request
2. Email Regarding Access Request

cc w/encls: Distribution via Electronic Information Exchange

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<sup>43</sup> 81 Fed. Reg. at 68466.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of	)	
	)	
SUSQUEHANNA NUCLEAR, LLC	)	Docket Nos. 50-387, 50-388, 72-28-LT-2
	)	
(Susquehanna Steam Electric Station,	)	
Units 1 and 2)	)	

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305(c)(4)(iii), I hereby certify that copies of the foregoing letter dated October 20, 2016, have been served on David Lewis, Beth Mizuno, Brian Newell, Catherine Scott, Clara Sola, Herald M. Speiser, and Jeremy Wachutka through the Electronic Information Exchange, the NRC's E-Filing System, in the above-captioned proceeding, this 20th day of October, 2016, and served on Sabatini Monatesti of 919 Belair Drive, Berwick, PA 18603, at the email address from which he submitted his letter requesting permission to access SUNSI, smonatesti@verizon.net, this 20th day of October, 2016.<sup>44</sup>

**/Signed (electronically) by/**

Jeremy L. Wachutka  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O14-A44  
Washington, DC 20555-0001  
Telephone: (301) 287-9188  
E-mail: Jeremy.Wachutka@nrc.gov

Dated at Rockville, Maryland  
this 20th day of October, 2016

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<sup>44</sup> Staff Counsel is serving this letter through the NRC EIE system and on Mr. S. Monatesti via email pursuant to the process provided by the Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information for Contention Preparation. However, the Staff is not, at this time, desiring or requesting to participate as a party in this matter.



**Attachment 1**

## **Request for Hearing and Information – License Transfer**

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October 11, 2016

Reference: Talen Energy license transfer

To: Secretary of the US NRC  
Washington, DC 20555-0001  
FAX: 301-415-11012  
Telephone: 301-415-1677  
Email: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)  
[hearing.docket@nrc.gov](mailto:hearing.docket@nrc.gov)

Copy: Associate General Counsel  
Hearings, Enforcement and Administration  
Office of the General Counsel  
11555 Rockville Pike  
Rockville, MD 20851  
Email: [hearing.docket@nrc.gov](mailto:hearing.docket@nrc.gov)  
[OGMailcenter@nrc.gov](mailto:OGMailcenter@nrc.gov)

General Counsel  
Washington, DC 20555-0001

From: Sabatini Monatesti  
919 Belair Drive  
Berwick, PA 18603  
Office: 570-752-8484  
Cell: 570-441-2662  
Email: [smonatesti@verizon.net](mailto:smonatesti@verizon.net)  
WEB: <http://www.esenterprisesinc.com>

Attn: Rulemaking and Adjudications Staff  
Docket ID NRC-2016-0187

To Whom It May Concern:

- I am requesting a hearing and a digital identification certificate to enable the discussion regarding the transfer of Talen Energy's license to Riverstone Holdings.
- I wish to receive access to sensitive business documents filed by Talen Energy to discern whether Riverstone Holdings includes provisions and capital available for decommissioning of the Salem Township nuclear plant (aka. Susquehanna), and I require information regarding their continued support of Salem Township property and recreational facilities.

## Request for Hearing and Information – License Transfer

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- I also wish to know if sufficient, trained work force will be available to ensure a successful transfer of responsibilities, and if Riverstone Holdings staffing adjustments exist in the planning for the transfer and subsequent operation of the Salem Township nuclear plant.
- Reference Federal Registry, Oct 4: Susquehanna Nuclear, LLC; Susquehanna Steam Electric Station, Units 1 and 2; Consideration of Indirect License Transfer, A Notice by the Nuclear Regulatory Commission on 10/04/2016, Document Citation: 81 FR 68462, Page:68462-68466 (5 pages) Agency/Docket Numbers: Docket Nos. 50-387, 50-388, and 72-28NRC-2016-0187 Document Number:2016-23955
  - The U.S. Nuclear Regulatory Commission (NRC) received and is considering approval of an application filed by Susquehanna Nuclear, LLC (Susquehanna Nuclear), on June 29, 2016. The application seeks NRC approval of the indirect transfer of Susquehanna Nuclear's interests in Renewed Facility Operating License Nos. NPF-14 and NPF-22 for Susquehanna Steam Electric Station, Units 1 and 2 (SSES), respectively, as well as the general license for the SSES Independent Spent Fuel Storage Installation (ISFSI), from the current parent holder, Talen Energy Corporation (Talen), to Riverstone Holdings, LLC (Riverstone). Because the application contains sensitive unclassified non-safeguards information (SUNSI) an order imposes procedures to obtain access to SUNSI for contention preparation.
- I live two miles from the Salem Township plant. Talen Energy recently presented their site storage expansion plan at a township-planning meeting in April. They were increasing nuclear waste storage on site to 3,000 metric tons. I raised a concern because the NRC, U.S. Department of Energy, Office of Civilian Radioactive Waste Management, Washington, D. C. 20585, Nuclear Waste Policy Act, March 2004, limits site storage to 1,900 metric tons. I outlined my concerns in a letter to Representative Lou Barletta, May 18. Victor M. McCree, Executive Director for Operations, US NRC responded July 28, 2016. I was very concerned when Mr. McCree noted in his response that neither Talen nor the township consulted with NRC prior to the meeting. Further, Mr. McCree did not make it clear that the NRC reviewed nor plans to review the expansion. Based on past safety performance, I find this NRC position unacceptable. I believe there are health and safety issues outstanding. Recent news releases and plant outages are consistent with past problems noted at the facility, e.g., separated seam found in N-plant ductwork, small cracks on metal blades on low-pressure turbine. It also appears that, e.g., repair of Exelon's 2012 event, an identified design flaw, the NRC has not addressed this problem; reference Robert Walton, March 3, 2016.
- Given Talen Energy 2015 loss of \$341 Million and continued downturn in energy prices continue. My understanding, global energy investment in 2015 amounted to United States dollar (USD) 1.8 trillion, down 8% (in real terms) from 2014 mainly due to a sharp fall in upstream oil and gas investment, <https://www.iea.org/Textbase/npsum/WEI2016SUM.pdf>. Who will be responsible for decommissioning cost, i.e., Pennsylvania Power and Light, Talen Energy or Riverstone Holdings, i.e., if the license holder goes bankrupt? Who holds the liability?

## Attachment 2

**From:** [SABATINI MONATESTI](#)  
**To:** [Docket, Hearing](#)  
**Cc:** [erik\\_helbing\\_esq@yahoo.com](mailto:erik_helbing_esq@yahoo.com); [susan.schwartz@pressenterprise.net](mailto:susan.schwartz@pressenterprise.net); [marande07@aol.com](mailto:marande07@aol.com)  
**Subject:** [External\_Sender] RE: Talen Energy license transfer (Susquehanna)  
**Date:** Monday, October 17, 2016 10:36:27 PM  
**Importance:** High

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Herald Speiser:

I plan to submit request for CERT tomorrow. I have no objection to the request of attorney for Susquehanna Nuclear, LLC to speak with me.

I can share with you a few areas of investigation:

- ROI and impact deal will have on the unit price for energy? Anticipated hurdle rate, and costing/pricing assumptions? Impact of continued erosion of price per unit due to the ever increasing availability of energy and decreasing cost of energy? Net present value of the investment?
- Arrangements for continued maintenance and provisioning for park areas? Investment required to meet future needs?
- Impact deal has on current and future workforce, and how it will impact health and safety?
- Expectation of new owner regards continued expansion of onsite storage? Investment required to meet future needs?
- Impact deal will have on capital improvements for the facility and eventual funding for decommissioning of Plant? Investment required to meet future needs?
- Commitment to ethical business practices?
- Evaluation of health and safety concerns in an area where population is aging and continued support of police and fire as it might relate to evacuation and emergency plans could be suspect? Investment required to meet future needs?
- Evaluation of seismic activity and its impact on current or future construction as a risk factor?
- Integrated deal provisions for study of future vulnerabilities, threats and risks? Probabilities associated with each area of vulnerability? Sensitivity model outputs and key variables associated with each area of vulnerability?

Regards.

Sabatini Monatesti

President, ES Enterprises Inc.

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**From:** Docket, Hearing [mailto:Hearing.Docket@nrc.gov]  
**Sent:** Monday, October 17, 2016 5:12 PM  
**To:** Sabatini Monatesti  
**Cc:** Docket, Hearing; OCAAMAIL Resource; Julian, Emile  
**Subject:** FW: Talen Energy license transfer (Susquehanna)

Mr. Monatesti,

I am forwarding you the below email to ensure you have received it. Because it does not appear you have taken steps to obtain a digital certificate I want to be certain that you

## Attachment 2

understand any request for hearing you may wish to make in the subject proceeding must be submitted via the Electronic Information Exchange (EIE) prior to the filing deadline stated in the Federal Register Notice, which calculates to October 24, 2016.

As stated in my previous email, your SUNSI access request is under review. In that regard, legal counsel for Susquehanna Nuclear, LLC has requested contact information for you so that he can get in touch with you to discuss the information you are interested in obtaining. Would you have any objection to me giving your contact information to the attorney for Susquehanna Nuclear, LLC?

I left voicemail messages for you today on both your office and cell phone numbers. Feel free to reply via email or phone, but please do let me know at your earliest opportunity.

Thank you.  
Herald Speiser

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**Herald M. Speiser**  
*Rulemakings and Adjudications Staff*  
*Office of the Secretary*  
*U. S. Nuclear Regulatory Commission*  
*(301) 415-1675*

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**From:** Docket, Hearing  
**Sent:** Wednesday, October 12, 2016 3:43 PM  
**To:** 'Sabatini Monatesti' <[smonatesti@verizon.net](mailto:smonatesti@verizon.net)>  
**Cc:** Docket, Hearing <[Hearing.Docket@nrc.gov](mailto:Hearing.Docket@nrc.gov)>; MSHD Resource <[Meta\\_System\\_Help\\_Desk.Resource@nrc.gov](mailto:Meta_System_Help_Desk.Resource@nrc.gov)>; Julian, Emile <[Emile.Julian@nrc.gov](mailto:Emile.Julian@nrc.gov)>; Newell, Brian <[Brian.Newell@nrc.gov](mailto:Brian.Newell@nrc.gov)>; Sola, Clara <[Clara.Sola@nrc.gov](mailto:Clara.Sola@nrc.gov)>  
**Subject:** RE: Talen Energy license transfer (Susquehanna)

Mr. Monatesti,

The Office of the Secretary is in receipt of your email and its attached letter. The request for access to SUNSI is under review and, as indicated in the Federal Register Notice, you will receive a response to that request. You can obtain a digital certificate by taking the steps listed below.

Instructions on obtaining a digital certificate can be found on the NRC's website ([www.NRC.gov](http://www.NRC.gov)). From the home page, access the link at the bottom entitled Electronic Submittals Application which is listed under Popular Documents. A direct link is provided here for your convenience: <http://www.nrc.gov/site-help/e-submittals/getting-started.html>. I strongly recommend you first reach out to our Metasystems Help Desk either by phone - 866-672-7640 or via email to [meta\\_system\\_help\\_desk.resource@nrc.gov](mailto:meta_system_help_desk.resource@nrc.gov). They are extremely helpful and can walk you through the process. The Help Desk has been copied on this email, so will be aware that they may hear from you.

## Attachment 2

In the meantime, we will begin the process of establishing an electronic docket in anticipation of your filing of a request for hearing. If you have any questions, please feel free to let me know.

Thank you.

Herald Speiser

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*Herald M. Speiser*  
*Rulemakings and Adjudications Staff*  
*Office of the Secretary*  
*U. S. Nuclear Regulatory Commission*  
*(301) 415-1675*

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**From:** Sabatini Monatesti [<mailto:smonatesti@verizon.net>]  
**Sent:** Tuesday, October 11, 2016 3:02 PM  
**To:** Docket, Hearing <[Hearing.Docket@nrc.gov](mailto:Hearing.Docket@nrc.gov)>; Docket, Hearing <[Hearing.Docket@nrc.gov](mailto:Hearing.Docket@nrc.gov)>;  
OGCMailCenter Resource <[OGCMailCenter.Resource@nrc.gov](mailto:OGCMailCenter.Resource@nrc.gov)>  
**Cc:** [smonatesti@verizon.net](mailto:smonatesti@verizon.net); [susan.schwartz@pressenterprise.net](mailto:susan.schwartz@pressenterprise.net); [sbeller@nhds.com](mailto:sbeller@nhds.com);  
[erik\\_helbing\\_esq@yahoo.com](mailto:erik_helbing_esq@yahoo.com)  
**Subject:** [External\_Sender] Talen Energy license transfer  
**Importance:** High

To Whom It may Concern:

The attached letter outlines my concerns regarding Talen Energy license transfer. Please acknowledge receipt.

I believe I require a digital identification certificate. Please share with me what I must provide to meet this requirement.

Regards,

Sabatini Monatesti  
919 Belair Drive  
Berwick, PA 18603  
cell: 570-441-2662  
email: [smonatesti@verizon.net](mailto:smonatesti@verizon.net)  
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