

**In the Matter of Docket No. NRC 2018-0279
Entergy Corporation Pilgrim Nuclear Power Station License Transfer Agreement
Application**

Via Email: hearingdocket@nrc.gov

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www.capedownwinders.info

Comments submitted by Cape Downwinders and Boston Downwinders:

Cape Downwinders and Boston Downwinders request the Nuclear Regulatory Commission (NRC) deny approval of the direct and indirect transfers of Renewed Facility Operating License No. DPR-35 for Pilgrim Nuclear Power Station (Pilgrim) as well as the general license for Pilgrim Independent Spent Fuel Storage Installation (ISFSI), collectively the Licenses. Entergy Nuclear Operations, Inc., (ENOI) on behalf of itself and Entergy Nuclear Generation Company (ENGCO), Holtec International (Holtec), and Holtec Decommissioning International, LLC (HDI) have requested for NRC consent to (1) the indirect transfer of control of the Licenses to Holtec; and (2) the direct transfer of ENOI's operating authority to HDI. We call for that request to be denied.

Cape Downwinders and Boston Downwinders unequivocally support the Petition for Leave to Intervene and Hearing Request submitted by the Commonwealth of Massachusetts. The MA Attorneys General Office has presented a solid case for denial of license transfer by addressing the health, safety, financial, and environmental issues which substantially support denial of the License Application Transfer request, Holtec's Exemption request, and Holtec's PSDAR.

Holtec has a very checkered history. The corporation is under investigation for violating NRC regulations regarding the design of the spent fuel storage casks. The NRC is currently considering escalated enforcement action.¹ At San Onofre Nuclear Generation Station in California, the near drop of a Holtec canister initiated an NRC special inspection.² The report of that near-miss was reported by a whistle-blower. In addition, the partner

¹ <https://files.constantcontact.com/4ef44f21401/35131d2b-c9cf-4104-97d2-e7fa09834767.pdf>

² <https://www.nrc.gov/reactors/operating/ops-experience/songs-spec-insp-activities-cask-loading-misalignment.html>

company, SNC-Lavalin, is under investigation in Canada for fraud and corruption and has been debarred by the World Bank for misconduct involving “bribery schemes”.³

What is best for the community should be the priority but it is not. Cleaning up as soon as possible is the goal but it must be done safely and responsibly. In addition to the MA AGO Petition, Cape Downwinders and Boston Downwinders also support the following:

- (1) With the Independent Spent Fuel Storage Installation (ISFSI) holding tons of radioactive waste, there is still potential for off-site radioactive releases. Radiological emergency plans must include low probability/high consequence incidents such as hostile actions.
- (2) Location of the ISFSI must consider a technically defensible storage location with spent fuel stored in a protected and secure area in berms or building.
- (3) Casks must be of improved quality thick metal canisters and be able to be inspected, monitored, retrieved, and repaired.
- (4) Procedures must be in place for transfer of waste from any cracked or damaged canisters/casks.
- (5) Procedures and training for fuel transfer with certification of completion by the NRC prior to moving any fuel from the pool.
- (6) Residual radiation levels must meet MA Department of Public Health standards not the higher federal standards.
- (7) Inclusion of independent oversight and increased state authority for oversight to ensure all procedures and regulations are followed in real time. Finding problems after the fact like at San Onofre puts the public at unacceptable risk.
- (8) Off-site radiological emergency plans must remain until the waste is removed from the site.
- (9) Spent fuel management plans must be based on an acceptance of potential indefinite storage on-site.

We are also concerned about the possible conflict of interest between Holtec buying their own thin canister system used at Pilgrim and our request for more robust thick canisters that are not available through Holtec.

Holtec International and Holtec Pilgrim, both limited liability companies, look like a house of cards with no guarantee that existing funds will complete the decommissioning job. The Commonwealth must have clear assurance that taxpayers will not be left paying off the mess Entergy is leaving behind. Holtec’s efforts to limit liability suggest profit driven management without assuming commensurate risks, undermining their credibility to address health, safety, financial, and environmental concerns.

We have a right to safety. Cape Downwinders and Boston Downwinders, representing thousands of Massachusetts citizens, will only support a responsible and safe decommissioning plan that protects the health and safety of our communities and the environment. The taxpayers must also be protected from unsupported assumptions by Holtec that the Decommissioning Trust Fund will complete the decommissioning job. We protest the transfer of the license at this time and unequivocally support the Petition for Leave to Intervene and Hearing Request by the Commonwealth of Massachusetts.

³ <http://www.worldbank.org/en/news/press-release/2013/04/17/world-bank-debars-snc-lavalin-inc-and-its-affiliates-for-ten-years>

Respectfully submitted,

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[updated/edited version]