



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

August 13, 2019

SECRETARY

The Honorable Edward J. Markey
United States Senate
Washington, DC 20510

Dear Senator Markey:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of August 8, 2019, to Chairman Svinicki regarding the pending Pilgrim Nuclear Power Station license transfer request from Entergy and Holtec (Docket Nos. 50-593 and 72-1044). Your letter requests that the NRC delay its decision on the license transfer application until after the Commission rules upon the license transfer intervention petitions filed by the State of Massachusetts and Pilgrim Watch as well as the stay motion filed by the State of Massachusetts.

Because your request bears on the contested adjudication pending before the Commission, it would be inappropriate for the Chairman to discuss or comment at this time. This is because the Commission must remain impartial during the pendency of the adjudication.

A copy of your letter and this response will be served on the participants in the Pilgrim license transfer proceeding.

Sincerely,

A handwritten signature in black ink, which appears to read "Annette Vietti-Cook".

Annette L. Vietti-Cook

EDWARD J. MARKEY
MASSACHUSETTS

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United States Senate

August 8, 2018

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The Honorable Kristine L. Svinicki
Chairman
Nuclear Regulatory Commission
Mail Stop O-16G4
Washington, DC 20555-0001

Dear Chairman Svinicki,

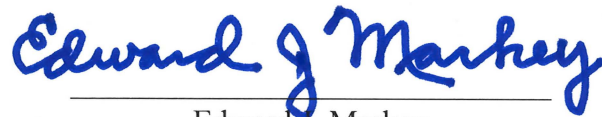
I write to urge you to direct the Nuclear Regulatory Commission (NRC) staff to delay ruling on the Pilgrim Nuclear Power Station license transfer request from Entergy and Holtec (Docket No. 50-293 & 72-1004) until after the Commission has ruled upon the petitions and motion currently in the proceeding docket.

NRC staff are currently evaluating an application to transfer the Pilgrim license from Entergy Nuclear Operations, Inc. to Holtec International and Holtec Decommissioning International. As part of these proceedings, the Commonwealth of Massachusetts and Pilgrim Watch, a local citizens' organization, both filed petitions to intervene and for hearing requests. On August 2, 2019, the Commonwealth additionally filed a motion to ask the NRC to stay its activities on the license transfer to allow the Attorney General's office more time to discuss a settlement with Entergy and Holtec.

The petitions and motion were filed in the correct fashion and within all relevant deadlines, as laid out in the Federal Register notice announcing the application. However, in recent correspondence with my office, NRC staff have said that they can reach a decision on the license transfer without waiting for a ruling on either motion or the petition. Issuing a decision on the license transfer request without input from either the Commonwealth or the local community would be an unacceptable undermining of the public's ability to weigh in on NRC actions and would undercut the promise of a rigorous evaluation of the license transfer request. As a result, I ask that NRC staff hold on their decision to approve or deny the transfer until all the NRC has ruled upon relevant petitions and motions. I also urge the Commission to grant the petitions for hearings in order to improve transparency and provide an opportunity for the interveners to get answers to their questions about the applicants.

If the NRC is serious about its process for soliciting comments and requests for hearings in its proceedings, it will wait for rulings before deciding on the application. The NRC should not put industry timelines above the statutory requirement for a thorough process that includes the opportunity for public involvement.

Sincerely,

A handwritten signature in blue ink that reads "Edward J. Markey". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Edward J. Markey
United States Senator

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
ENTERGY NUCLEAR OPERATIONS, INC.)	
ENTERGY NUCLEAR GENERATION)	Docket Nos. 50-293 and 72-1044 LT
COMPANY, HOLTEC INTERNATIONAL,)	
and HOLTEC DECOMMISSIONING)	
INTERNATIONAL, LLC)	
)	
(Pilgrim Nuclear Power Station)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Letter from Commission Secretary Annette L. Vietti-Cook to Senator Edward J. Markey** have been served upon the following persons by Electronic Information Exchange.

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Office of the Secretary of the Commission
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Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E. Roy Hawkens, Chairman
E-mail: Roy.Hawkens@nrc.gov

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Pilgrim Nuclear Power Station Docket Nos. 50-293 and 72-1044 LT

Letter from Commission Secretary Annette L. Vietti-Cook to Senator Edward J. Markey

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[Original signed by Krupskaya T. Castellon]
Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 13th day of August 2019