



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

August 26, 2019

SECRETARY

The Honorable Edward J. Markey
United States Senate
Washington, DC 20515

Dear Senator Markey:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of August 21, 2019, to Chairman Svinicki regarding the 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 Commonwealth of Massachusetts and Pilgrim Watch as well as the motion filed by the Commonwealth requesting extra time in which to file a stay application. The motion requesting extra time was granted on August 21, 2019. The license transfer was approved on August 22, 2019.

Because your request bears on the contested adjudication pending before the Commission, it would be inappropriate for the Chairman to discuss this matter 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 blue ink that reads "Rochelle C. Bavor".

Rochelle C. Bavor
Acting Secretary

cc: Senator Elizabeth Warren
Representative William R. Keating



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

August 26, 2019

SECRETARY

The Honorable Elizabeth Warren
United States Senate
Washington, DC 20515

Dear Senator Warren:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of August 21, 2019, to Chairman Svinicki regarding the 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 Commonwealth of Massachusetts and Pilgrim Watch as well as the motion filed by the Commonwealth requesting extra time in which to file a stay application. The motion requesting extra time was granted on August 21, 2019. The license transfer was approved on August 22, 2019.

Because your request bears on the contested adjudication pending before the Commission, it would be inappropriate for the Chairman to discuss this matter 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 blue ink that reads "Rochelle C Bavor".

Rochelle C. Bavor
Acting Secretary

cc: Senator Edward J. Markey
Representative William R. Keating



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

August 26, 2019

SECRETARY

The Honorable William R. Keating
United States House of Representatives
Washington, DC 20515

Dear Congressman Keating:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of August 21, 2019, to Chairman Svinicki regarding the 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 Commonwealth of Massachusetts and Pilgrim Watch as well as the motion filed by the Commonwealth requesting extra time in which to file a stay application. The motion requesting extra time was granted on August 21, 2019. The license transfer was approved on August 22, 2019.

Because your request bears on the contested adjudication pending before the Commission, it would be inappropriate for the Chairman to discuss this matter 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 blue ink that reads "Rochelle C. Bavor".

Rochelle C. Bavor
Acting Secretary

cc: Senator Edward J. Markey
Senator Elizabeth Warren

Congress of the United States
Washington, DC 20515

August 21, 2019

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

Dear Chairman Svinicki,

We write to urge you to direct the Nuclear Regulatory Commission (NRC) staff to delay final 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, including the petition filed last week by the Commonwealth of Massachusetts. We also wish to express our support for the petition filed by the Commonwealth to request extra time in which to file a stay application, following the official order from NRC staff on the license transfer.

NRC staff evaluated the application to transfer the Pilgrim license from Entergy Nuclear Operations, Inc. to Holtec International and Holtec Decommissioning International and have recommended that it be approved by the Nuclear Regulatory Commission next week. 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. An additional petition from the Commonwealth to stay the proceedings was denied by the Commission on August 14, 2019, in part because the NRC staff had not yet issued the official order for the license transfer.

On August 15, 2019, the Commonwealth filed an emergency motion asking the NRC for a short enlargement of time to file a stay application on the license transfer pursuant to 10 CFR Section 2.307 and 10 CFR Section 2.1325, in order to allow the Attorney General's office more time to discuss a settlement with Entergy and Holtec. The citizen group Pilgrim Watch wrote in support of that emergency motion. A ruling from the NRC on this emergency motion is still pending.

The Commission has prioritized nuclear industry timelines over the public interest throughout the license transfer and decommissioning process, and it appears to be moving forward without regard for the repeated expression of stakeholder concerns. As Holtec and Entergy refuse to sit down and discuss the transfer with involved state and local parties, the Commission's

intervention is increasingly necessary for transparency and a rigorous evaluation of the transfer request. As a result, we express our support for the Commonwealth's application to extend the timeline for intervention to allow for more time to reach a settlement with Entergy and Holtec as well as for the dual petitions for hearings and interventions.

Sincerely,


Edward J. Markey
United States Senator


Elizabeth Warren
United States Senator


William R. Keating
Member of Congress

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 **Letters from NRC Acting Secretary, Rochelle Baval, to Senator Markey, Senator Warren and Congressman Keating**, 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@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

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

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop - O-14A44
Washington, DC 20555-0001
Tison A. Campbell, Esq.
Anita G. Naber, Esq.
David E. Roth, Esq.
Rebecca A. Susko, Esq.
Jeremy L. Wachutka, Esq.
Jennifer E. Scro, Esq.
E-mail: Tison.Campbell@nrc.gov
Anita.Naber@nrc.gov
David.Roth@nrc.gov
Rebecca.Susko@nrc.gov
Jeremy.Wachutka@nrc.gov
Jennifer.Scro@nrc.gov

Entergy Services, Inc.
101 Constitution Ave., NW
Suite 200 East
Washington, DC 20001
Susan H. Raimo
E-mail: sraimo@entergy.com

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

Letters from NRC Acting Secretary, Rochelle Bovol, to Senator Markey, Senator Warren and Congressman Keating

Balch & Bingham LLP
1710 Sixth Avenue North
Birmingham, AL 35203-2015
Peter R. LeJeune, Esq.
Alan D. Lovett, Esq.
E-mail: plejeune@balch.com
alovett@balch.com

Pillsbury Winthrop Shaw Pittman LLP
1200 Seventeenth Street, NW
Washington, DC 20036
Meghan Hammond, Esq.
David R. Lewis, Esq.
E-mail: Meghan.Hammond@pillsburylaw.com
David.Lewis@pillsburylaw.com

Pilgrim Watch
F148 Washington Street
Duxbury, MA 02332
Mary Lampert, Director
E-mail: Mary.Lampert@comcast.net

Counsel for the Commonwealth of
Massachusetts:
Energy and Environmental Bureau
Office of the Attorney General
One Ashburton Place, 18th Floor
Boston, Massachusetts 02108
Joseph Dorfler, Esq.
Seth Schofield, Esq.
E-mail: Joseph.Dorfler@state.ma.gov
Seth.Schofield@mass.gov

[Original signed by Herald M. Speiser ____]
Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 26th day of August 2019