



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

August 26, 2019

SECRETARY

Ms. Diane Turco
Director
Cape Downwinders
PO Box 303
South Harwich, MA 02661

Ms. Deb Katz
Executive Director
Citizens Awareness Network
deb@nukebusters.org

Dear Ms. Turco and Ms. Katz:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of August 20, 2019, to Chairman Svinicki regarding the Pilgrim Nuclear Power Station license transfer request from Entergy and Holtec (Docket Nos. 50-593 and 72-1044). In your letter, you request that the NRC delay its decision on the license transfer application until after the Commission rules upon the license transfer intervention petition filed by the Commonwealth of Massachusetts. 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 or comment on your request 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



PO Box 303
South Harwich, MA 02661

August 20, 2019

Kristine L. Svinicki, Chair
U.S. Nuclear Regulatory Commission
Mail Stop-O-16 B33
Washington, DC 20555-0001
chairman@nrc.gov

Dear Chairman Svinicki,

Cape Downwinders and Citizens Awareness Network are regional citizens organization advocating for the best protection for the public and environment during the decommissioning and spent fuel management activities at the Pilgrim Nuclear Power Station in Plymouth, MA.

We are very concerned that the NRC Commissioners, mandated to protect the public and environment, will approve the License Transfer Application from Entergy to Holtec without a public hearing on the all the contentions filed. We fully support our Attorney General's Office petition to intervene and find that a premature NRC decision to approve the license transfer only supports Holtec's financial interest and not standards for public health and safety that clearly impact our communities.

The NRC promotes the value of communication and public input, yet, when it comes to legal intervention pursued on our behalf by our AGO, the NRC not only denies a stay of 90 days but plows forward to meet Holtec's demands with license approval before an adjudicatory hearing is held. Business as usual.

In their petition to intervene, the AGO identified the "risk of a funding shortfall is radiological, environmental, and financial." This is a serious matter that must not be rushed in order to accommodate Holtec's bottom line. Can we agree decommissioning must be done in the safest and most responsible manner? That is not the guaranteed plan as it stands now. The Commonwealth has raised serious issues that must be resolved before license transfer.

Approving the license before the hearing also removes any incentive for Holtec to meet the recommendations of the Commonwealth.

Will the public concerns be heard and acted upon by you and the Commissioners? We, the citizens, do not consent to the license transfer at this time. We petition to suspend the license transfer from Entergy to Holtec until there is resolution to the contentions raised. Otherwise, the NRC has reneged it's responsibility to the people they are mandated to protect.

We look forward to your response.

Diane Turco, Director
Cape Downwinders
capedownwindersinfo@gmail.com

Deb Katz, Executive Director
Citizens Awareness Network
deb@nukebusters.org

cc:

Senator Edward Markey
Senator Elizabeth Warren
Representative William Keating
Governor Charlie Baker
Attorney General Maura Healey
State Senator Julian Cyr
State Senator Vinny deMacedo
Representative Sarah Peake

Representative Timothy Whelan
Representative William Crocker
Representative Dylan Fernades
Representative David Vieira
Representative Randy Hunt
Representative Ruth Balser
NDCAP Chair Sean Mullin
Plymouth Selectboard Chair Ken Tavares

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 NRC Acting Secretary, Rochelle Baval, to Diane Turco of Cape Downwinders and Deb Katz of Citizens Awareness Network** 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 Diane Turco of Cape Downwinders and Deb Katz of Citizens Awareness Network

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