



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

October 8, 2019

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 the August 30, 2019, letter from you and your colleagues expressing concerns related to the NRC staff recommendation to the Commission regarding requested exemptions from emergency preparedness and planning requirements for the Pilgrim Nuclear Power Station (Pilgrim).

Entergy Nuclear Operations, Inc. (Entergy) requested these exemptions prior to the August 22, 2019, order issued by the NRC staff providing consent to the transfer of Entergy's licensed operating authority to Holtec Decommissioning International (HDI), LLC. Under the terms of the order, the pending request for exemptions was also transferred to HDI.

The staff's recommendation paper was provided to the Commission on August 9, 2019 and is currently under our consideration. The Commission is carefully considering the staff's recommendation on its merits.

Your letter also raised concerns about the potential for seismic damage to spent fuel pools. The NRC's past studies have shown that spent fuel pools are robust structures likely to withstand severe earthquakes without leaking. The pools' thick, steel-reinforced walls, concrete floors, and stainless-steel liner are intended to help maintain the coolant inventory and protect the fuel from the effects of natural phenomena, including severe seismic events. The NRC staff has reviewed information on the impact of a postulated earthquake several times greater than Pilgrim's design-basis earthquake on a spent fuel pool of the same design and determined that in all cases the spent fuel pools would maintain safe storage of spent fuel.

I appreciate your interest in these matters. If you have any questions or need additional information, please contact me or have your staff contact Eugene Dacus, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

Kristine L. Svinicki

**Identical letter sent to:**

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

The Honorable Elizabeth Warren  
United States Senate  
Washington, DC 20510

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