



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

SECRETARY

October 10, 2019

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 September 11, 2019, to Chairman Svinicki regarding the incorporation of public input into the Commission's decision making process, particularly during decommissioning, as well as your co-sponsoring of the Nuclear Plant Decommissioning Act of 2019. You note the requirement under the Nuclear Energy Innovation and Modernization Act for the NRC to hold public meetings on best practices for community advisory boards in areas near decommissioning nuclear power plants. The NRC held one of these meetings in Plymouth, Massachusetts, on September 11, 2019.

You request that the NRC "review its own regulations and policies to allow greater and more meaningful input from the public in its deliberations around decommissioning plants." As one basis for your request, you describe concerns expressed at meetings of a citizens advisory panel regarding the license transfer proceeding involving the renewed facility operating license for the Pilgrim Nuclear Power Station as well as the general license for the Pilgrim Independent Spent Fuel Storage Installation (Docket Nos. 50-593 and 72-1044).

Given the reference in your letter to the Pilgrim license transfer proceeding, it would be inappropriate for the Chairman to comment at this time. The Pilgrim license transfer application is the subject of a contested adjudication pending before the Commission, and 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, reading "Annette Vietti-Cook", is positioned above the printed name.

Annette L. Vietti-Cook

WILLIAM R. KEATING  
9TH DISTRICT, MASSACHUSETTS

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September 11, 2019

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

Dear Chair Svinicki,

I write today to express my support for the incorporation of public input into the Commission's decision-making process, especially during the decommissioning of a nuclear power plant. Under the Nuclear Energy Innovation and Modernization Act, the NRC is required to consult with stakeholders and report to Congress on best practices for community advisory boards (CABs) in areas surrounding nuclear power plants that have ceased operations and begun decommissioning.

In anticipation of the announced cessation of power generation operations at Pilgrim Nuclear Power Station, the Commonwealth of Massachusetts established the Nuclear Decommissioning Citizens Advisory Panel (NDCAP) in 2016. NDCAP has had an important role in discussing the impacts of decommissioning on local communities and residents and has amassed a large body of fact-based information through its hearing process. NDCAP has conducted its meetings with transparency and with fairness to all parties, including the licensee. By inviting the testimony of stakeholders from residents, from environmental regulators, from local businesses, and from other states dealing with the decommissioning process, NDCAP has developed recommendations geared towards maintaining public safety and environmental integrity.

The NDCAP process also allowed for a full airing of concerns by the host community (Plymouth), as well as activist groups concerned about a range of issues, including radiological testing, water and air quality monitoring, and support for emergency planning resources. For the last year or so, these discussions occurred with the pending possibility of a license transfer that would allot responsibility for the decommissioning of Pilgrim to Holtec DCI, LLC. This pending license transfer shaped the discussions and afforded the participants the opportunity to share concerns regarding the inexperience of Holtec and its partners in the decommissioning process.

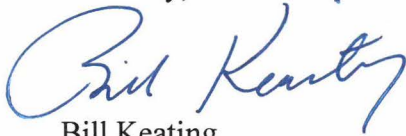
Despite concerns expressed by NDCAP members and by the community at NDCAP meetings, the NRC moved rapidly ahead to approve the license transfer last month. The NRC did so despite Holtec's refusal to enter into discussions with the Commonwealth or with the host community regarding its commitments to environmental protection, emergency planning support, and site redevelopment. In addition, the NRC approved the transfer absent a full hearing of the contentions filed by the Massachusetts Attorney General and Pilgrim Watch regarding

Holtec's financial integrity and its ability to finance a complete decommissioning of the plant without taxpayer support.

This chain of events demonstrates the need to give Citizen Advisory Boards a more meaningful role in the decommissioning process. I have co-sponsored with Representative Welch of Vermont the Nuclear Plant Decommissioning Act of 2019, which would require the licensee to consult with affected states and localities before submitting a Post-Shutdown Decommissioning Activities Report (PSDAR). It would also require the NRC to solicit public comment on the PSDAR, hold at least two public hearings, and invite the state to register its support or non-support for the proposed PSDAR, as well as to make specific recommendations to improve the PSDAR. This will give the host community and host state greater oversight of the decommissioning process and require the licensee to work with the affected communities to develop a safer, more effective decommissioning plan.

As I work in Congress to effectuate this change, I urge the NRC to review its own regulations and policies to allow greater and more meaningful input from the public in its deliberations around decommissioning plants. The public must not be shut out of these discussions, as it unfortunately has here in Plymouth. Across the country, more and more nuclear plants will undergo decommissioning in the years ahead. The NRC has the opportunity to learn significant lessons from its experiences with Pilgrim's decommissioning and license transfer. I urge the Commission to take steps to ensure local public input is considered fully and incorporated into its decision-making processes.

Sincerely,



Bill Keating  
United States Representative



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 Vietti-Cook to Congressman William R. Keating** have been served upon the following persons by Electronic Information Exchange.

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

**Letter from Commission Secretary Annette Vietti-Cook to Congressman William R. Keating**

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[Original signed by Wendy Moore \_\_\_\_\_]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 10<sup>th</sup> day of October 2019.