

From: [Guzman, Richard](#)
To: [Couture III, Philip \(pcoutur@entergy.com\)](mailto:pcoutur@entergy.com)
Cc: [Andrea Sterdis](#); [Danna, James](#); [RidsNRRLIC109 Resource](#); [Mirzai, Mahvash](#)
Subject: Acceptance Review Determination Re: Indian Point Units 1, 2, and 3 License Transfer Application (L-2019-LLM-0003)
Date: Friday, January 03, 2020 12:11:31 PM

Mr. Couture,

By letter dated November 21, 2019 ([Agencywide Documents Access and Management System](#) (ADAMS) Accession No. ML19326B953), Entergy Nuclear Operations, Inc. (ENOI), on behalf of itself, Entergy Nuclear Indian Point 2, LLC, Entergy Nuclear Indian Point 3, LLC, Holtec International, and Holtec Decommissioning International, LLC (HDI) (together, "Applicants"), requested that the U.S. Nuclear Regulatory Commission (NRC) consent to: (1) the indirect transfer of control of Provisional Operating License No. DPR-5 and Renewed Facility Operating License Nos. DPR-26 and DPR-64 for Indian Point Nuclear Generating Station, Units 1, 2 and 3 (referred collectively as the Indian Point Energy Center or "IPEC"), as well as the general license for the IPEC Independent Spent Fuel Storage Installation (ISFSI) (collectively the "Licenses"), to Holtec subsidiaries to be known as Holtec Indian Point 2, LLC (Holtec IP2) and Holtec Indian Point 3, LLC (Holtec IP3); and (2) the direct transfer of ENOI's operating authority (i.e., its authority to conduct licensed activities at IPEC) to HDI. The Applicants also requested that the NRC approve conforming administrative amendments to the Licenses to reflect the proposed transfer of the Licenses from ENOI to HDI, Holtec IP2 and Holtec IP3; and deletion of certain license conditions to reflect satisfaction and termination of certain obligations after the license transfers. The proposed conforming license amendment would be approved, but not issued, until consummation of the proposed transaction. ENOI and HDI proposes to notify the NRC at least two business days prior to the expected closing date, so that the conforming license amendment can be issued concurrently with the transaction closing. In addition, on December 19, 2019, HDI submitted, "Post Shutdown Decommissioning Activities Report including Site-Specific Decommissioning Cost Estimate for Indian Point Nuclear Generating Units 1, 2, and 3," (ADAMS Accession No. ML19354A698).

The purpose of this e-mail is to provide the results of the NRC staff's acceptance review of this license transfer application request. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in the characterization of the regulatory requirements or the licensing basis of the plant.

Consistent with Section 50.80 of Title 10 of the *Code of Federal Regulations* (10 CFR), an application for transfer of a license shall include as much of the information as described in Sections 50.33 and 50.34 of 10 CFR 50, with respect to identity and technical and financial qualifications of the proposed transferee. Also, consistent with 10 CFR 50.90, an amendment to the license must fully describe the changes requested, and following, as far as applicable, the form prescribed for original applications. Section 50.34 of 10 CFR addresses the content of technical information required. This section stipulates that the submittal address the design and operating characteristics, unusual or novel design features, and principal safety considerations.

The NRC staff has reviewed your application, as further informed by information provided in

HDI's December 19, 2019, transmittal to the NRC, and concluded that it provides technical information in sufficient detail to enable the NRC staff to complete its detailed technical review and make an independent assessment regarding the acceptability of the request in terms of protection of public health and safety and the environment. Given the lesser scope and depth of the acceptance review as compared to the detailed technical review, there may be instances in which issues that impact the NRC staff's ability to complete the detailed technical review are identified despite completion of an adequate acceptance review. You will be advised of any further information needed to support the NRC staff's detailed technical review by separate correspondence.

Based on the information provided in your submittal, the NRC staff has estimated that this licensing request will take approximately 480 hours to complete. The NRC staff expects to complete this review in approximately 12 months, which is January 2021. If there are emergent complexities or challenges in our review that would cause changes to the initial forecasted completion date (greater than a month) or significant changes in the forecasted hours (greater than 25%), the reasons for the changes, along with the new estimates, will be communicated during the routine interactions with the assigned project manager. These estimates are based on the NRC staff's initial review of the application and they could change, due to several factors including requests for additional information, and unanticipated addition of scope to the review.

If you have any questions, please contact me at (301) 415-1030. A copy of this e-mail will be made publicly available in ADAMS.

Sincerely,

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**Rich Guzman**

Sr. PM, Division Operator Reactor Licensing

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