



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

February 10, 2020

Ms. Andrea L. Sterdis
Vice President, Regulatory & Environmental Affairs
Holtec Decommissioning International, LLC
Krishna P. Singh Technology Campus
1 Holtec Blvd.
Camden, NJ 08104

SUBJECT: INDIAN POINT NUCLEAR GENERATING UNIT NOS. 1, 2, AND 3 – HOLTEC
PROPOSED POST-SHUTDOWN DECOMMISSIONING ACTIVITIES REPORT
WITH SITE-SPECIFIC DECOMMISSIONING COST ESTIMATE
(EPID L-2019-LLM-0003)

Dear Ms. Sterdis:

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 and Entergy Nuclear Indian Point 2, LLC (ENIP2); Entergy Nuclear Indian Point 3, LLC (ENIP3); Holtec International (Holtec); and Holtec Decommissioning International, LLC (HDI) (collectively, the applicants), requested that the U.S. Nuclear Regulatory Commission (NRC) consent to: (1) the transfer of control of the Operating Licenses for Indian Point Nuclear Generating Unit Nos. 1, 2, and 3 (referred to individually as IP1, IP2, or IP3, and 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 transfer of ENOI's operating authority (i.e., its authority to conduct licensed activities at Indian Point) to HDI. In addition, the applicants requested that the NRC approve conforming administrative amendments to the licenses to reflect the proposed transfer and the deletion of certain license conditions to reflect satisfaction and termination of certain obligations after the license transfer.

By letter dated December 19, 2019 (ADAMS Accession No. ML19354A698), HDI submitted a "Post Shutdown Decommissioning Activities Report including Site-Specific Decommissioning Cost Estimate for Indian Point Nuclear Generating Units 1, 2, and 3."

The regulation under Section 50.82(a)(4)(i) of Title 10 of the *Code of Federal Regulations* states:

Prior to or within 2 years following permanent cessation of operations, *the licensee* [emphasis added] shall submit a post-shutdown decommissioning activities report (PSDAR) to the NRC, and a copy to the affected State(s). The PSDAR must contain a description of the planned decommissioning activities along with a schedule for their accomplishment, a discussion that provides the reasons for concluding that the environmental impacts associated with site-specific decommissioning activities will be bounded by appropriate previously issued environmental impact statements, and a site-specific DCE

[decommissioning cost estimate], including the projected cost of managing irradiated fuel.

In its letter dated December 19, 2019, HDI stated, in part:

In accordance with the requirements of Title 10 of the Code of Federal Regulations (CFR) 50.82, "Termination of license," paragraph (a)(4)(i), this DECON PSDAR is being submitted to notify the NRC of HDI's decommissioning plans based on an accelerated decommissioning schedule for the prompt decommissioning of IP1, 2 & 3 and unrestricted release of all portions of the site other than the ISFSI, if the license transfers are approved by the NRC and the transaction closes.

The DECON PSDAR is contingent upon NRC approval of the transfer of the IP1, 2 and 3 licenses.

The purpose of this letter is to inform you that, consistent with the above regulatory requirements and HDI statements, the NRC staff will not consider the HDI PSDAR submittal dated December 19, 2019, under the provisions of 10 CFR 50.82(a)(4) because HDI is not the licensee for IPEC. However, the NRC staff is treating the HDI PSDAR submittal as a supplement to the IPEC license transfer application dated November 21, 2019, until such time as the NRC makes a regulatory decision regarding the IPEC license transfer application.

If you have any questions, please contact me at 301-415-1030 or by e-mail to Richard.Guzman@nrc.gov.

Sincerely,

/RA/

Richard V. Guzman, Senior Project Manager
Plant Licensing Branch I
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-003, 50-247, 50-286,
and 72-051

cc: Listserv

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ADAMS Accession No.: ML20026A002

*by e-mail

OFFICE	NRR/DORL/LPL1/PM	NRR/DORL/LPL1/LA	OGC – NLO*
NAME	RGuzman	LRonewicz	JWachutka
DATE	02/03/2020	01/31/2020	02/06/2020
OFFICE	NMSS/DUWP/RDB/BC*	NRR/DORL/LPL1/BC	NRR/DORL/LPL1/PM
NAME	BWatson	JDanna	RGuzman
DATE	01/31/2020	02/10/2020	02/10/2020

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