



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

OFFICE OF NUCLEAR REACTOR REGULATION

NOTIFICATION OF SIGNIFICANT LICENSING ACTION

LICENSEE: Entergy Nuclear Indian Point 2, LLC  
Entergy Nuclear Indian Point 3, LLC  
Entergy Nuclear Operations, Inc.

Indian Point Nuclear Generating Station, Unit Nos. 1, 2, and 3  
License Nos. DPR-5, DPR-26, and DPR-64  
and its generally licensed ISFSI  
Docket Nos. 50-003, 50-247, 50-286, and 72-051

SUBJECT: PROPOSED ISSUANCE OF AN ORDER APPROVING A LICENSE TRANSFER  
APPLICATION FOR WHICH A HEARING HAS BEEN REQUESTED  
(EPID L-2019-LLM-0003)

This is to inform the Commission that an order approving the transfer of licenses and draft conforming administrative license amendments will be issued on or about November 23, 2020, to Entergy Nuclear Operations, Inc.; Entergy Nuclear Indian Point 2, LLC; Entergy Nuclear Indian Point 3, LLC; Holtec International (Holtec); and Holtec Decommissioning International, LLC (HDI) (collectively, the applicants). This action is being taken in response to the application dated November 21, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19326B953), as supplemented by letters dated December 19, 2019 (ADAMS Accession No. ML19354A698); January 17, 2020 (ADAMS Accession No. ML20017A290); February 12, 2020 (ADAMS Accession No. ML20043C539); and August 7, 2020 (ADAMS Accession No. ML20220A666). The application requests that the U.S. Nuclear Regulatory Commission (NRC) consent to the transfer of Provisional Operating License No. DPR-5 for Indian Point Nuclear Generating Station, Unit No. 1 (IP1), Renewed Facility Operating License Nos. DPR-26 and DPR-64 for Indian Point Nuclear Generating Station, Unit Nos. 2 and 3 (IP2 and IP3), respectively (collectively, with IP1, the Indian Point Energy Center (IPEC)), and the general license for the IPEC independent spent fuel storage installation (ISFSI) to Holtec subsidiaries: Holtec Indian Point 2, LLC and Holtec Indian Point 3, LLC, with the operating authority under the licenses to be held by Holtec subsidiary HDI.

IP1 was a four-loop pressurized water reactor with a thermal rating of 615 megawatts thermal (MWt) at which operations permanently ceased in 1974. IP2 and IP3 are four-loop pressurized water reactors, each with a thermal rating of 3,216 MWt. Operations permanently ceased at IP2 in April 2020; Entergy Nuclear Operations, Inc. has certified that operations will permanently cease at IP3 in April 2021. The transfer transaction would not be consummated until after the

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permanent cessation of operations at IP3. The purpose of the requested transfer of the licenses is to permit the decommissioning of the IPEC site and the unrestricted release of all portions of the site, other than the ISFSI, on an accelerated schedule using the DECON (i.e., prompt decommissioning) method.

On January 23, 2020, the NRC published in the *Federal Register* (FR) an opportunity to request a hearing and to comment on the license transfer application (85 FR 3948). In response, on February 11, 2020, the Safe Energy Rights Group, Inc. and, on February 12, 2020, the State of New York; the Town of Cortlandt, Village of Buchanan, and Hendrick Hudson School District; and Riverkeeper, Inc., each filed separate hearing requests. These hearing requests remain pending before the Commission. The hearings, if granted, will take place after the approval of the license transfer application. The order approving the application includes a condition that the approval of the license transfers is subject to the Commission's authority to rescind, modify, or condition the approved transfers based on the outcome of any post-effectiveness hearing on the license transfer application. See *Susquehanna Nuclear, LLC* (Susquehanna Steam Electric Station, Units 1 and 2), CLI-17-4, 85 NRC 59, 61 n.5 (2017); *Power Auth. Of the State of N.Y.* (James A. FitzPatrick Nuclear Power Plant), CLI-01-14, 53 NRC 488, 502, 554-55 (2001) (citing *Long Island Lighting Co.* (Shoreham Nuclear Power Station, Unit 1), CLI-92-4, 35 NRC 69, 80 n.7 (1992)). The NRC received over 400 comment submissions on the license transfer application (available at [www.regulations.gov](http://www.regulations.gov) under docket NRC-2020-0021). NRC staff considered the comments as part of its evaluation of the application.

In accordance with the Commission's regulations, NRC staff notified the New York State Liaison Officer Designee of the issuance of the order approving the transfer of licenses and draft conforming administrative license amendments on October 28, 2020. The Officer provided written comments on November 13, 2020, which the NRC staff considered as part of its evaluation of the application.

Concurrent with the issuance of the order approving the transfer of licenses and draft conforming administrative license amendments, the NRC staff will also issue its approval of an exemption request permitting HDI to use funds from the IP1, IP2, and IP3 nuclear decommissioning trusts for spent fuel management and site restoration activities for IP1, IP2, and IP3, respectively, and to make these withdrawals without prior notification to the NRC. The exemption will only apply if and when the transfer transaction is consummated.

**NOTE: Information to be added after the order is issued.**

Date order issued: MM/DD/20

Date received by licensee: MM/DD/20

Date the parties to the proceeding were notified: MM/DD/20

SUBJECT: PROPOSED ISSUANCE OF AN ORDER APPROVING A LICENSE TRANSFER APPLICATION FOR WHICH A HEARING HAS BEEN REQUESTED (EPID L-2019-LLM-0003) DATED NOVEMBER 16, 2020

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**ADAMS Accession No.: ML20307A197**

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