



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

CHAIRMAN

March 7, 2022

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

Dear Representative Keating:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated January 28, 2022. In that letter, you raised concerns about the regulation of the potential release of irradiated water into Cape Cod Bay during the decommissioning of the Pilgrim Nuclear Power Station, as well as communication with communities and stakeholders about such plans.

We appreciate and share your concern about the safety of these discharges. The NRC has regulatory requirements governing the discharge of radioactive gaseous and liquid effluents from nuclear facilities. The U.S. Environmental Protection Agency (EPA) issues National Pollutant Discharge Elimination System permits that establish requirements for the discharge of non-radiological constituents of wastewater.

The controlled release of effluents within specified limits has been an established part of normal nuclear facility operations, and the NRC's regulations and licensing reviews for the facility take into account such releases as part of the NRC's safety and environmental determinations. The NRC's regulations and conditions in the license issued to Holtec Decommissioning International, LLC (HDI) for Pilgrim require HDI to ensure that the releases of gaseous and liquid effluents meet the applicable NRC and EPA requirements. The NRC also requires HDI to maintain a radiological environmental monitoring program (REMP) for Pilgrim to provide data on measurable levels of radiation and radioactive materials in the local environment. In addition, HDI is required to submit to the NRC an annual radiological environmental operating report with the results of the REMP and a radioactive effluent release report every year, both of which are publicly available. As part of its oversight activities, the NRC staff reviews HDI's ongoing compliance with regulations and license conditions, as well as compliance with recordkeeping and notification requirements. With this regulatory framework in place, separate NRC approval for each effluent release is not required.

HDI is responsible for determining how it will dispose of the liquid effluents from Pilgrim decommissioning work in accordance with the methods allowed under the NRC's regulations, which allow discharge, shipment for disposal, or evaporation of the liquid and disposal of the resulting solid waste. HDI is required to keep records of releases, along with documentation that demonstrates that it is meeting the license conditions and applicable regulations for the releases. To ensure that HDI is meeting the technical specifications in its license relating to radioactive effluents, the NRC reviewed and approved Pilgrim's Off-Site Dose Calculation Manual, which HDI uses to comply with its technical specifications. The NRC also does routine inspections to ensure compliance with NRC regulations, the license, and approved manuals

and procedures. In addition, EPA Region 1 and the Commonwealth of Massachusetts' Department of Environmental Protection jointly issued a National Pollutant Discharge Elimination System permit for Pilgrim that establishes requirements for non-radiological constituents of wastewater discharges.

HDI communicates with the NRC weekly to discuss decommissioning plans and proposed schedules for Pilgrim. In 2021, HDI informed NRC staff that it would not pursue releasing the processed water at Pilgrim in 2022 and would store it onsite while considering water-disposal options, including evaporation, trucking off site for disposal at another facility, or discharge into Cape Cod Bay. As required by NRC regulations and license conditions, HDI will continue to conduct routine environmental sampling of vegetation, water, sediment, fish, and shellfish through its REMP to ensure there is no significant accumulation of radionuclides and will continue to provide the REMP results to the NRC in its annual radiological environmental operating report.

You also raised environmental justice concerns in your letter. In response to Commission direction, the NRC staff is conducting a systematic review of how environmental justice is addressed in the NRC's programs, policies, and activities. The staff is committed to openness with the local community regarding ongoing activities at Pilgrim and to ensuring that licensing decisions and the results of NRC oversight activities are available to the public in a timely manner. The NRC continues to conduct outreach to the community surrounding Pilgrim, by communicating with local stakeholders about the NRC's regulatory decisions related to decommissioning activities at the site. Although the NRC does not have plans to assemble an interagency task force our staff will continue to engage with the public, EPA, the Massachusetts Department of Environmental Protection, and the U.S. Department of Energy, as needed, during the decommissioning process at Pilgrim.

I appreciate your interest in the decommissioning of Pilgrim and your service to the surrounding community. 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,

A handwritten signature in black ink, appearing to read "C. T. Hanson". The signature is stylized and somewhat cursive.

Christopher T. Hanson