August 9, 2012

The Honorable Daniel A. Wolf
Massachusetts Senate
Boston, Massachusetts 02133

Dear Mr. Wolf:

On behalf of the Commission, I am responding to your letter dated May 3, 2012, in which you urged the Commission not to issue a decision on the pending application for a 20-year extension of the operating license for the Pilgrim Nuclear Power Station ("Pilgrim") until all related legal challenges are finally resolved.

The U.S. Nuclear Regulatory Commission's (NRC's) rules provide that a renewed power reactor operating license may be issued while some adjudicatory filings remain pending, so long as the NRC staff has made all necessary safety and environmental findings. Therefore, after several years of evidentiary hearings, decisions by the Atomic Safety and Licensing Board (Board), and Commission appellate decisions addressing the Board's rulings, the Commission on May 24, 2012, approved the NRC staff's recommendation to authorize the Director of the Office of Nuclear Reactor Regulation to renew Pilgrim's operating license once he makes the appropriate safety and environmental findings. The Director made those findings and issued the license on May 29, 2012.

A petition for review of a Board decision is now pending before the Commission. If the renewed license is subsequently set aside on appeal, Pilgrim's previous operating license may be reinstated in accordance with NRC regulations. However, delaying the NRC's license renewal determination until all pending adjudicatory matters are resolved would not affect Pilgrim's ability to continue operating in the interim. Moreover, issuance of the renewed license has the advantage of formally binding Pilgrim to follow the aging-management programs that are incorporated into the renewed license, empowering the NRC to enforce compliance with those new requirements.

The Commission recognizes the significant public interest in the agency's licensing process, particularly with respect to pending applications for new and renewed operating licenses. Likewise, the Commission takes seriously its commitment to transparency, participation, and collaboration in its regulatory activities. We appreciate your input.

Sincerely,

/RA/

Allison M. Macfarlane