



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

June 5, 2013

Mr. Kevin Cassidy  
Staff Attorney  
Earthrise Law Center  
at Lewis & Clark Law School  
P.O. Box 445  
Norwell, MA 02061

SUBJECT: EARTHRISSE LAW CENTER'S REQUEST FOR THE U.S. NUCLEAR  
REGULATORY COMMISSION TO REINITIATE SECTION 7 CONSULTATION  
WITH THE NATIONAL MARINE FISHERIES SERVICE FOR CONTINUED  
OPERATION OF PILGRIM NUCLEAR POWER STATION

Dear Mr. Cassidy:

Thank you for your letter dated March 22, 2013, regarding consultation under section 7 of the Endangered Species Act of 1973, as amended (ESA), for the continued operation of Pilgrim Nuclear Power Station (Pilgrim) in Plymouth, Massachusetts. Your letter requests that the U.S. Nuclear Regulatory Commission (NRC) and the National Marine Fisheries Service (NMFS) reinstate section 7 consultation as a result of the occurrence of a North Atlantic right whale (*Eubalaena glacialis*) cow/calf pair near Pilgrim in January 2013 and the new information that this occurrence indicates.

The NRC staff has reviewed your letter in detail and concludes that reinstatement of section 7 consultation with the NMFS is not warranted at this time. The staff sent the enclosed letter to the NMFS dated May 31, 2013, that describes the NRC staff's rationale for this conclusion.

Sincerely,

A handwritten signature in black ink that reads "William J. for Melanie Wong". The signature is written in a cursive, flowing style.

Melanie C. Wong, Chief  
Environmental Review and  
Guidance Update Branch  
Division of License Renewal  
Office of Nuclear Reactor Regulation

Docket No. 50-293

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/RA/

Melanie C. Wong, Chief  
Environmental Review and  
Guidance Update Branch  
Division of License Renewal  
Office of Nuclear Reactor Regulation

Docket No. 50-293

DISTRIBUTION:

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| DATE   | 5/30/2013 | 6/3/2013    | 6/3/2013     | 6/5/2013          |

OFFICIAL RECORD COPY

Letter to K. Cassidy from M. Wong dated June 5, 2013

SUBJECT: EARTHRIS LAW CENTER'S REQUEST FOR NRC TO REINITIATE SECTION  
7 CONSULTATION WITH NMFS FOR CONTINUED OPERATION OF PILGRIM  
NUCLEAR POWER STATION

DISTRIBUTION:

**HARD COPY:**

Ms. Julie Crocker, Fisheries Biologist  
Division of Protected Resources  
National Marine Fisheries Service  
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Glouster, MA 01930-2276

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