



CHAIRMAN

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

December 13, 2018

The Honorable Elizabeth Warren
United States Senate
Washington, DC 20510

Dear Senator Warren:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of October 30, 2018, raising concerns with safety at the Pilgrim Nuclear Power Station (Pilgrim). The NRC shares your interest in ensuring that Pilgrim operates—and will be decommissioned—in a way that protects public health and safety and the common defense and security.

The NRC's current assessment is that Pilgrim remains safe to operate and that Pilgrim's performance has improved, although the sustainability of that improvement is still under NRC review. The NRC will continue to closely monitor Pilgrim's performance through the end of its operational life and throughout decommissioning until such time that the spent fuel is removed from the site and the license is terminated.

Following Pilgrim's placement in Column 4 of the NRC's action matrix, Entergy Nuclear Operations, Inc. committed to a performance recovery plan that was documented in an NRC Confirmatory Action Letter (CAL) dated August 2, 2017. Since that time, the NRC has focused additional management attention on Pilgrim and conducted additional inspections to evaluate safety at the site and the licensee's efforts to improve performance. The fourth of five CAL inspections was recently completed, and the final CAL inspection is planned for December. Only after we conclude that the actions listed in the CAL have been adequately addressed and the licensee has demonstrated that the performance improvements can be sustained, will the NRC consider allowing Pilgrim to transition out of Column 4.

Regarding Pilgrim's recent operating performance, the NRC continues to evaluate licensee performance daily. Pilgrim has been offline several times this year, yet safety has been maintained. None of the forced shutdowns this year has been related to a failure of any safety-related system or component. The NRC has reviewed and evaluated the cause for each of the forced shutdowns and concluded that the licensee's actions taken to address the failures of the non-safety related components that caused the shutdowns were adequate.

On the matter of granting extensions to, or exemptions from, implementation of certain NRC requirements, these have been approved only after a thorough review, which included consideration of the limited remaining operational lifespan of the plant. For example, regarding the plant's cyber security program, the agency concluded that extending the due date for the final milestone beyond the expected operating life of the plant did not compromise the ongoing reasonable assurance of adequate protection of public health and safety and the common defense and security. The rationale for this decision included the licensee's implementation of

controls to protect its most significant critical digital assets from the most prevalent cyber-attack vectors, assurances that certain critical digital assets would be isolated from external networks, and that technical cybersecurity controls for critical digital assets supporting security functions would be maintained.

The NRC has not yet made a decision on Entergy's request for an exemption from specific emergency planning requirements based on the proposed permanent cessation of power operations and removal of fuel from the reactor vessel.

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,



Kristine L. Svinicki