



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

August 13, 2019

OFFICE OF NUCLEAR REACTOR REGULATION

NOTIFICATION OF SIGNIFICANT LICENSING ACTION

LICENSEE: Entergy Nuclear Operations, Inc.
Pilgrim Nuclear Power Station
Docket Nos. 50-293 and 72-1044

SUBJECT: PROPOSED ISSUANCE OF AN ORDER APPROVING A LICENSE TRANSFER
APPLICATION FOR WHICH A HEARING HAS BEEN REQUESTED
(EPID L-2018-LLO-0003)

This is to inform the Commission that an order approving (1) the direct transfer of control of the Renewed Facility Operating License No. DPR-35 for the Pilgrim Nuclear Power Station (Pilgrim), and its general license for the Pilgrim Independent Spent Fuel Storage Installation, from Entergy Nuclear Operations, Inc., to Holtec Decommissioning International, LLC (HDI) as the operator for decommissioning, and (2) the indirect transfer of Entergy Nuclear Generation Company's (to be renamed Holtec Pilgrim, LLC) ownership interests in the facility to Holtec International (Holtec), will be issued on or about August 21, 2019. This action is being taken in response to the license transfer application dated November 16, 2018, as supplemented on November 16, 2018, April 17, 2019, and July 29, 2019. The U.S. Nuclear Regulatory Commission (NRC) will issue a regulatory exemption to Holtec Pilgrim, LLC and HDI related to the use of funds from the Pilgrim decommissioning trust fund for spent fuel management and site restoration activities simultaneously with the license transfer order. The NRC also plans to issue a conforming amendment for the facility operating license for administrative purposes to reflect the approved license transfer after consummation of the license transfer transaction.

The NRC received two hearing requests on the license transfer application from the Commonwealth of Massachusetts and Pilgrim Watch on February 20, 2019. On April 24, 2019, the Commonwealth of Massachusetts filed a motion to supplement its hearing request. On April 26, 2019 and May 9, 2019, Pilgrim Watch filed motions to supplement its hearing request. On July 16, 2019, Pilgrim Watch submitted a motion to file a new contention. On August 1, 2019, the Commonwealth of Massachusetts filed a motion to stay the license transfer proceeding for 90 days to permit the completion of settlement negotiations. These requests are pending before the Commission. The hearing, if granted, will not be completed prior to approval of the license transfer application. The order approving the transfer will include a condition that the NRC staff's approval of the license transfer is subject to the Commission's authority to

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rescind, modify, or condition the approved transfer 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 (Mar. 24, 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 Commonwealth of Massachusetts was notified on August 13, 2019, that the NRC intends to issue the Order approving the transfer and the conforming amendment and grant the exemption for the use of the decommissioning trust fund for spent fuel management and site restoration activities.

NOTE: Information to be added after Order is issued:

Date of Issuance of Order: August 22, 2019

Date of receipt of Order by licensee: August 22, 2019

Date the Commonwealth of Massachusetts and Pilgrim Watch were notified: August 22, 2019

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