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# PUBLIC SUBMISSION

**Docket:** NRC-2020-0021

Indian Point Nuclear Generating Unit Nos. 1, 2, and 3; Transfer of Control of Licenses and Approval of Conforming License Amendments

**Comment On:** NRC-2020-0021-0002

Indian Point Nuclear Generating Unit Nos. 1, 2, and 3; Consideration of Approval of Transfer of Control of Licenses and Conforming Amendments

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## General Comment

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Docket ID NRC-2020-0021 - opposing Indian Point license transfer to Holtec

To the U.S. Nuclear Regulatory Commission, Rulemakings and Adjudications Staff:

I begin by noting that over 20 million people live in the New York metropolitan area. In case of any accident, there is no way to evacuate or protect these people. If there is news of an accident, even a minor accident, the result could be mass panic, with the consequences that entails. The decommissioning of Indian Point requires critical care and maximum competence. Even minor errors are likely to create casualties, and cost in the billions of dollars. With this as background, Holtec as licensee for the decommissioning of Indian Point is likely to be catastrophic, for the following reasons:

Holtec and its subsidiaries are not qualified to hold the licenses of the Indian Point Energy Center. Given its record, area residents have no confidence in Holtec and do not accept it as the licensee. The Commission must not approve the license transfer, for the same reasons. Holtec's multiple problems disqualify it from decommissioning Indian Point.

Holtec lacks the experience needed to decommission Indian Point safely. Its entire nuclear "fleet" was acquired less than a year ago. It has never decommissioned a nuclear plant before; its first decommissioning job is Oyster Creek, which it acquired in July 2019. It is in effect learning on the job. The bulk of its

experience is in spent fuel handling, where its performance has been poor.

Holtec and its subsidiaries are privately held and their finances are opaque. Their business model is based on maximally leveraging the decommissioning trust fund and taxpayer moneys for their profit. But they haven't demonstrated sufficient capitalization to complete decommissioning, especially if decommissioning costs exceed their unreliably low estimates.

New York Attorney General Letitia James has filed a petition to challenge license transfer to Holtec, stating "Putting the decommissioning of Indian Point in the hands of a company with no experience and uncertain financial resources is very risky." Many elected officials in New York support the AG's filing and share her objections to Holtec.

In its premature Post-Shutdown Activities Report (PSDAR), improperly filed with the NRC as if it were already the licensee, Holtec significantly underestimated the cost to decommission Indian Point. In fact, there is no site characterization assessing current conditions on which to base an estimate. The PSDAR ignored the Algonquin Pipeline passing near Indian Point's critical components, even though its presence greatly complicates decommissioning and raises risks of ruptures and fires. Holtec acknowledged in the PSDAR that there was radioactive contamination of groundwater at the site, which is also leaking into the Hudson River. But it stated it planned to do nothing to remediate it, and will only monitor it. Nor does it plan to remediate contaminated soil any deeper than three feet. The PSDAR also stated Holtec is considering shipping large radioactive components by barge down the Hudson, which raises a host of additional unacceptable risks. If Holtec ships radioactive waste to its own (via corporate linkage) sites (e.g., in New Mexico), it will cause major public protest concerning the shipping.

Holtec and SNC-Lavalin, the two companies behind the proposed Indian Point decommissioning contractors, are embroiled in numerous scandals and controversies that tell against their claims of high standards in ethics, compliance, financially sustainable business practices and trusted stewardship of nuclear materials. Their actual record is full of corruption, bribery, fraud, pleading guilty to and paying fines for malfeasance, getting barred from doing business with the TVA and the World Bank, and misleading and lying to officials and the public.

Holtec has demonstrated dangerous incompetence in its spent fuel handling at San Onofre Nuclear Generating Station. It put costs ahead of safety when it hired unqualified, low-skilled workers at Oyster Creek and has repeatedly exhibited a pattern of disregard for public concern or input.

It's vital that Indian Point's licensee be competent and trustworthy, free of the kind of serial malfeasance Holtec has committed, with a solid track record demonstrating it is well equipped to decommission Indian Point safely and responsibly. The Commission therefore has an obligation, statutory and otherwise, to clear the way for such a qualified candidate and reject Holtec as the licensee entrusted to decommission Indian Point. The considerations in the first paragraph above suggest that any risk is dangerous; taking the unnecessary risk of allowing a company with a poor record is tempting fate, and much too likely to have catastrophic consequences.

Sincerely,

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