



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO THE REQUEST FOR TRANSFER OF CONTROL OF

PROVISIONAL OPERATING LICENSE NO. DPR-5,

RENEWED FACILITY OPERATING LICENSE NOS. DPR-26 AND DPR-64,

AND THE GENERAL LICENSE FOR THE

INDEPENDENT SPENT FUEL STORAGE INSTALLATION

FROM ENTERGY NUCLEAR OPERATIONS, INC.,

ENTERGY NUCLEAR INDIAN POINT 2, LLC, AND

ENTERGY NUCLEAR INDIAN POINT 3, LLC

TO HOLTEC INTERNATIONAL AND HOLTEC DECOMMISSIONING INTERNATIONAL, LLC

INDIAN POINT NUCLEAR GENERATING STATION, UNIT NOS. 1, 2, AND 3

DOCKET NOS. 50-003, 50-247, 50-286, AND 72--051

1.0 INTRODUCTION

By application dated November 21, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19326B953) (license transfer application (LTA)), as supplemented by information provided in letters from Holtec Decommissioning International, LLC (HDI) dated December 19, 2019; January 17, 2020; February 12, 2020; and August 7, 2020 (ADAMS Accession Nos. ML19354A698, ML20017A290, ML20043C539, and ML20220A666, respectively), Entergy Nuclear Operations, Inc. (ENOI), on behalf of itself; Entergy Nuclear Indian Point 2, LLC; Entergy Nuclear Indian Point 3, LLC; Holtec International (Holtec); and HDI (collectively, the Applicants), requested, pursuant to Section 184, "Inalienability of Licenses," of the Atomic Energy Act of 1954, as amended (AEA), and Sections 50.80, "Transfer of licenses," and 72.50, "Transfer of license," of Title 10 of the *Code of Federal Regulations* (10 CFR), that the U.S. Nuclear Regulatory Commission (NRC, the Commission) consent to the transfer of control of Provisional Operating License No. DPR-5 for Indian Point Nuclear Generating Station, Unit No. 1 (IP1); Renewed Facility Operating License Nos. DPR-26 and DPR-64 for Indian Point Nuclear Generating Station, Unit Nos. 2 and 3, respectively (IP2 and IP3) (collectively, with IP1, the Indian Point Energy Center (IPEC)); and the general license for the IPEC independent spent fuel storage installation (ISFSI) (collectively, the IPEC licenses) to Holtec subsidiaries. The Holtec subsidiaries would be known as Holtec Indian Point 2, LLC (Holtec IP2) and Holtec Indian Point 3, LLC (Holtec IP3). The Applicants

also requested that the NRC consent to the transfer of ENOI's operating authority (i.e., its authority to conduct licensed activities at the IPEC) to HDI. Finally, the Applicants requested that the NRC approve conforming administrative amendments to the IPEC licenses to reflect the proposed license transfer and to delete certain license conditions to reflect the satisfaction and termination of certain obligations after the license transfer pursuant to 10 CFR 50.90, "Application for amendment of license, construction permit, or early site permit."

The supplemental information provided by HDI in support of the LTA is (1) a December 19, 2019, post-shutdown decommissioning activities report (PSDAR) and site-specific decommissioning cost estimate (SSCE) for the IPEC, contingent upon NRC approval of the LTA and the consummation of the proposed transfer transaction; (2) a January 17, 2020, update to the LTA; (3) a February 12, 2020, request for exemption from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv) to allow the use of funds from the IP1, IP2, and IP3 decommissioning trust funds (DTFs) for spent fuel management and site restoration activities at the IPEC and to allow disbursements from the IP1, IP2, and IP3 DTFs for these activities to be made without prior notice, similar to withdrawals in accordance with 10 CFR 50.82(a)(8); and (4) an August 7, 2020, response to the NRC staff's request for additional information (RAI) dated July 8, 2020 (ADAMS Accession No. ML20190A234).

Upon an NRC approval of the LTA and the consummation of the proposed transfer transaction, Holtec IP2 would be the licensed owner for IP1 and IP2 and Holtec IP3 would be the licensed owner for IP3. Holtec IP2 and Holtec IP3 would also respectively own each unit's associated assets and real estate, including each unit's DTF, title to spent nuclear fuel, and rights pursuant to the terms of the Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste with the U.S. Department of Energy (DOE standard contract). A wholly-owned subsidiary of Holtec, Nuclear Asset Management Company, LLC (NAMCo), would acquire all equity interests in the parent companies owning the three units and would emerge as the direct parent company owner of both Holtec IP2 and Holtec IP3.

Holtec IP2 and Holtec IP3 would enter into an operating agreement for decommissioning services with HDI, which would act as their agent, and Holtec IP2 and Holtec IP3 would pay for HDI's decommissioning, spent fuel management, and site restoration costs incurred at the IPEC; HDI would be the licensed operator for the IPEC. Comprehensive Decommissioning International, LLC (CDI), a general contractor to HDI, would perform day-to-day activities at the IPEC, including decommissioning activities, pursuant to a general contractor agreement between HDI and CDI, subject to HDI's direct oversight and control as the licensed operator.

NAMCo and HDI would be direct, wholly-owned subsidiaries of Holtec Power, Inc. (Holtec Power), which is a direct, wholly-owned subsidiary of Holtec.

Notice of NRC consideration of the LTA was published in the *Federal Register* on January 23, 2020 (85 FR 3947) and included an opportunity to comment, request a hearing, and petition for leave to intervene. As published in the *Federal Register* on February 19, 2020 (85 FR 9486), the NRC extended the comment period for the LTA for an additional 30 days to allow more time for members of the public to develop and submit comments on the LTA. The NRC staff reviewed the comments and hearing requests received and considered them in its review of the LTA, as discussed in Section 11.0 of this safety evaluation (SE). The topics of the comments and hearing requests received that were within the scope of the NRC staff's review of the LTA, such as decommissioning funding and the financial and technical qualifications of Holtec and its partners and subsidiaries, are addressed in this SE.

The supplemental information in the letters dated January 17, 2020; February 12, 2020; and August 7, 2020, provided additional information that clarified the application and did not expand the scope of the application as originally noticed in the *Federal Register* on January 23, 2020.

2.0 REGULATORY EVALUATION

2.1 Background

The IPEC is located in Buchanan, New York, in Westchester County, on the east bank of the Hudson River. There are three units on the site. IP1 was a four-loop pressurized water reactor with a thermal rating of 615 megawatts thermal (MWt). Operation of IP1 began in August 1962 and was suspended on October 31, 1974. All spent fuel was removed from the IP1 reactor vessel by January 1976. In 1996, the NRC issued an order approving the safe-storage condition of the unit, and in 2003, the NRC issued Amendment No. 52 to the Provisional Operating License for the unit that changed the license's expiration date to be consistent with that of the IP2 license at that time (i.e., September 28, 2013).

IP2 and IP3 are four-loop pressurized water reactors, each with a thermal rating of 3,216 MWt. IP2 began operations in September 1973, and IP3 began operations in December 1975.

Pursuant to 10 CFR 50.54(bb) and 10 CFR 50.75(f)(3), by letter dated October 23, 2008 (ADAMS Accession No. ML083040378), ENOI submitted the "Unit No. 1 and 2 10 CFR 50.54(bb) Program for Maintenance of Irradiated Fuel," the "Preliminary Decommissioning Cost Analysis for the Indian Point Energy Center, Unit 1," and the "Preliminary Decommissioning Cost Analysis for the Indian Point Energy Center, Unit 2," and by letter dated December 10, 2010 (ADAMS Accession No. ML103550612), ENOI submitted the "[Unit No. 3] 10 CFR 50.54(bb) Program for Maintenance of Irradiated Fuel," and the "Preliminary Decommissioning Cost Analysis for the Indian Point Energy Center, Unit 3."

Pursuant to 10 CFR 50.82(a)(1)(i), by letter dated February 8, 2017 (ADAMS Accession No. ML17044A004), ENOI certified to the NRC its decision to permanently cease operations at IP2 by April 30, 2020, and at IP3 by April 30, 2021. Pursuant to 10 CFR 50.82(a)(1)(ii), by letter dated May 12, 2020 (ADAMS Accession No. ML20133J902), ENOI certified to the NRC that operations permanently ceased at IP2 on April 30, 2020, and that the fuel was permanently removed from the IP2 reactor vessel and placed in the IP2 spent fuel pool on May 12, 2020; therefore, pursuant to 10 CFR 50.82(a)(2), the IP2 license no longer authorizes operation of the reactor.

The LTA provided that if the NRC were to consent to the license transfer, the Applicants would enter into a transaction under which the IPEC would be transferred to Holtec and its subsidiaries. This transaction would occur under the terms of a "Membership Interest Purchase and Sale Agreement" (see Attachment B of the LTA). Pursuant to the purchase and sale agreement, Holtec IP2 would be the licensed owner for IP1 and IP2, and Holtec IP3 would be the licensed owner for IP3. In addition, HDI would assume from ENOI the responsibility of the IPEC licensed operator. Holtec IP2 and Holtec IP3 would be direct, wholly-owned subsidiaries of NAMCo, which would be a direct, wholly-owned subsidiary of Holtec Power. HDI would be a direct, wholly-owned subsidiary of Holtec Power. Holtec Power would be a direct, wholly-owned subsidiary of Holtec. HDI would contract with CDI, a company jointly formed and owned by Holtec and SNC-Lavalin Group, as the decommissioning general contractor. CDI would perform day-to-day activities at the IPEC, including decommissioning activities, subject to HDI's direct oversight and control as the licensed operator. CDI, although jointly formed and owned by

Holtec and SNC-Lavalin Group, would be the decommissioning general contractor after the proposed transfer transaction and would have no direct or indirect ownership or licensing authority at the IPEC. Figures 1 and 2 of the LTA show the corporate ownership structure, including the identity of the licensed owners and licensed operator, before and after the proposed transfer transaction.

The LTA also identifies the principal officers and directors of the transferees, including those of Holtec, Holtec Power, NAMCo, Holtec IP2, Holtec IP3, and HDI. Holtec would be the ultimate parent company of the proposed licensed entities. Holtec is a privately held corporation and is controlled by its Board of Directors, all of whom are U.S. citizens. It is owned by its shareholders as follows: (1) The Great Banyan Trust, 36.33 percent ownership interest and (2) Multi-Decades Trust, 63.67 percent ownership interest. Dr. Krishna Singh of Holtec controls these trusts.

The LTA provided that the purpose of the requested transfer of the IPEC licenses to Holtec and its subsidiaries is to permit the decommissioning of the IPEC and the unrestricted release of all portions of the site, other than the ISFSI, on an accelerated schedule using the DECON (i.e., prompt decommissioning) method. Specifically, following the consummation of the proposed transfer transaction, HDI plans to complete the transfer of spent nuclear fuel to the ISFSI as soon as practicable and to promptly proceed with decontamination and dismantlement of the site (other than the ISFSI) beginning in 2021. The projected goal for completing the radiological decommissioning, site restoration, and release for unrestricted use of the non-ISFSI portions of the IPEC site is within 15 years after the transfer, with a potential target date of 2033, as depicted in the cash flow analyses presented in the LTA. This envisioned use of the DECON method is different than the 60-year SAFSTOR decommissioning method envisioned under the current ownership of the licenses. Pursuant to the purchase and sale agreement, the proposed transfer transaction is subject to the condition that, prior to closing, the IPEC shall have been permanently shut down and all spent fuel shall have been removed from the IP2 and IP3 reactors and placed in the spent fuel pool.

By letter dated December 19, 2019, HDI provided a PSDAR, including an SSCE, reflecting its proposed use of the DECON method if the LTA were to be approved and the proposed transfer transaction consummated. The PSDAR and SSCE describe the planned decommissioning activities to be undertaken for IP1, IP2, IP3, and the IPEC ISFSI, along with a schedule for their accomplishment, an estimate of expected costs, and an evaluation of environmental impacts consistent with the discussion provided in the LTA. The decommissioning schedule as presented in the PSDAR reflects decommissioning beginning in 2021 and that the majority of decommissioning activities would occur, and associated decommissioning expenses would be incurred, by 2033, resulting in anticipated partial site release at that time. HDI indicated that the PSDAR was developed consistent with NRC Regulatory Guide (RG) 1.185, Revision 1, "Standard Format and Content for Post-Shutdown Decommissioning Activities Report" (ADAMS Accession No. ML13140A038), and includes an SSCE for license termination costs associated with radiological decommissioning, as well as cost estimates for spent fuel management and site restoration activities. The HDI exemption request dated February 12, 2020, also discusses cost projections related to radiological decommissioning, spent fuel management, and site restoration activities.

2.2 Regulations and Guidance

The proposed transaction described in the LTA involves the transfer of control of the IPEC licenses and, therefore, requires prior NRC approval. Generally, to approve the LTA, the NRC

must find that the proposed transferee is qualified to be the holder of the licenses and that transfer of the licenses is otherwise consistent with applicable provisions of law, regulations, and orders issued by the NRC pursuant thereto.

The request for approval of the transfer of control of the licenses, as described above and as discussed in this SE, is made pursuant to 10 CFR 50.80(a), which states:

No license for a production or utilization facility (including, but not limited to, permits under this part and part 52 of this chapter, and licenses under parts 50 and 52 of this chapter), or any right thereunder, shall be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of the license to any person, unless the Commission gives its consent in writing.

In addition, the regulations at 10 CFR 50.80(b) and (c) apply. Section 50.80(b) of 10 CFR states that an application for a license transfer shall include as much of the information described in 10 CFR 50.33, "Contents of applications; general information," and 10 CFR 50.34, "Contents of applications; technical information," with respect to the identity and technical and financial qualifications of the proposed transferee as would be required by those sections if the application were for an initial license.

Section 50.80(c) of 10 CFR states, in part:

...the Commission will approve an application for the transfer of a license, if the Commission determines: (1) That the proposed transferee is qualified to be the holder of the license; and (2) That transfer of the license is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

In 10 CFR 50.33(a) through (d), the NRC requires applicants to provide information, including the name of the applicant, address of the applicant, description of the corporate structure of the applicant, citizenship of the applicant, and foreign ownership, control, or domination (FOCD) of the applicant, as applicable.

In addition, 10 CFR 50.33(f) states, in part:

Except for an electric utility applicant for a license to operate a utilization facility of the type described in § 50.21(b) or § 50.22, [each application shall state] information sufficient to demonstrate to the Commission the financial qualification of the applicant to carry out, in accordance with regulations in this chapter, the activities for which the permit or license is sought.

Section 50.2, "Definitions," of 10 CFR states, in part, that an electric utility means:

[A]ny entity that generates or distributes electricity and which recovers the cost of this electricity, either directly or indirectly, through rates established by the entity itself or by a separate regulatory authority.

The NRC staff applies the guidance in NUREG-1577, Revision 1, "Standard Review Plan on Power Reactor Licensee Financial Qualifications and Decommissioning Funding Assurance,"

dated December 2001 (ADAMS Accession No. ML013330264), to evaluate the financial qualifications of applicants to carry out the activities for which the permit or license is sought.

In addition, 10 CFR 50.33(k)(1) requires that applicants provide the information described in 10 CFR 50.75, "Reporting and recordkeeping for decommissioning planning," indicating how reasonable assurance will be provided that funds will be available to decommission the facility.

The regulation under 10 CFR 50.75 specifies how a licensee will provide reasonable assurance that funds will be available for the decommissioning process. Specifically, 10 CFR 50.75(b) requires that decommissioning financial assurance be provided in an amount not less than the minimum formula amount in 10 CFR 50.75(c). In 10 CFR 50.75(e), the NRC includes the methods acceptable to the agency for covering this decommissioning financial assurance amount, including using a DTF. Finally, 10 CFR 50.75(f) and (h) provide additional requirements on the reporting and management of DTFs.

In addition, 10 CFR 50.82(a)(8)(i) states that licensees may use DTFs if:

- (A) The withdrawals are for expenses for legitimate decommissioning activities consistent with the definition of decommissioning in § 50.2;
- (B) The expenditure would not reduce the value of the decommissioning trust below an amount necessary to place and maintain the reactor in a safe storage condition if unforeseen conditions or expenses arise and;
- (C) The withdrawals would not inhibit the ability of the licensee to complete funding of any shortfalls in the decommissioning trust needed to ensure the availability of funds to ultimately release the site and terminate the license.

In accordance with 10 CFR 50.2, the term "decommission" means to remove a facility or site safely from service and reduce residual radioactivity to a level that permits (1) release of the property for unrestricted use and termination of the license or (2) release of the property under restricted conditions and termination of the license.

In 10 CFR 50.82(a)(8)(v), the NRC also requires power reactor licensees that have permanently ceased operations to provide to the NRC annually, by March 31, a decommissioning financial assurance status report. The report must include additional financial assurance to cover any projected shortfalls.

In 10 CFR 50.54(bb), the NRC requires, in part, a licensee to submit, for NRC review and preliminary approval, the program by which the licensee intends to manage and provide funding for the management of all spent fuel at the reactor following permanent cessation of operation of the reactor until title to the spent fuel and possession of the spent fuel is transferred to the DOE for its ultimate disposal in a repository. In addition, 10 CFR 50.82(a)(8)(vii) provides, in part, for the licensee's annual submittal to the NRC of a report on the status of its funding for managing spent fuel. If the funds accumulated do not cover the projected cost, a plan to obtain additional funds to cover the cost must be included.

In addressing FOCD issues, Section 103d of the AEA provides, in relevant part, that no license may be issued to:

[A]ny corporation or other entity if the Commission knows or has reason to believe it is owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government.

The NRC regulation at 10 CFR 50.38, “Ineligibility of certain applicants,” is the regulatory provision that implements the FOCD provisions of the AEA. The NRC staff evaluates license transfer applications in a manner that is consistent with the guidance provided in the NRC “Final Standard Review Plan on Foreign Ownership, Control, or Domination” (SRP) published in the *Federal Register* on September 28, 1999 (64 FR 52355), to determine whether the proposed transferee is owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government. The NRC’s position on FOCD, outlined in the SRP, states that “the foreign control limitation should be given an orientation toward safeguarding the national defense and security.” Further, the SRP on FOCD outlines how the effects of foreign ownership may be mitigated through implementation of a “negation action plan” to ensure that any foreign interest is effectively denied control or domination over the licensee.

In 10 CFR 50.34(b)(6), the NRC requires that applicants provide certain information on facility operation. It requires, in part, that the information provided by the applicant includes:

- (i) The applicant’s organizational structure, allocations or responsibilities and authorities, and personnel qualifications requirements.
- (ii) Managerial and administrative controls to be used to assure safe operation.

In 10 CFR 50.34(b)(7), the NRC also requires that applicants provide the following information in the final safety analysis report:

The technical qualifications of the applicant to engage in the proposed activities in accordance with the regulations in this chapter.

The NRC staff uses, in part, the following regulatory guidance to evaluate whether the qualifications of licensees would be affected by proposed transfers:

- (1) NUREG-0800, “Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR [Light-Water Reactor] Edition,” Chapter 13, “Conduct of Operations,” Section 13.1.1, Revision 6, “Management and Technical Support Organization,” dated August 2016 (ADAMS Accession No. ML15005A449), which provides guidance for the review of changes to the technical organization or personnel qualifications proposed as a result of an operating license transfer. Specifically, Section I.4, “Reviews of Operating License Transfers,” states that the applicant for transfer of an operating license should provide a description of the organization to support plant operations, which should include (1) organizational charts of the corporate-level management and technical support organizations, emphasizing the changes to be made as a result of the transfer, (2) the relationship of the nuclear-oriented parts of the organization to the rest of the corporate organization, and (3) description of the specific provisions which have been made for uninterrupted technical support for operations.

- (2) NUREG-0800, Chapter 13, Sections 13.1.2–13.1.3, Revision 7, “Operating Organization,” dated August 2017 (ADAMS Accession No. ML15007A296), which provides guidance for the review of changes to the operating organization proposed as a result of an operating license transfer.

The purpose of this evaluation is to ensure that the proposed corporate management is involved with, informed of, and dedicated to the safe operation, maintenance, and decommissioning of the facility, and that adequate technical and financial resources will be provided to support these activities.

The NRC staff also reviews information that relates to nuclear onsite property damage insurance requirements under 10 CFR 50.54(w) and the Price-Anderson insurance and indemnity requirements under Section 170 of the AEA and 10 CFR Part 140, “Financial Protection Requirements and Indemnity Agreements.”

With respect to the transfer of control of a license for an ISFSI, 10 CFR 72.50(a) states:

No license or any part included in a license issued under this part for an ISFSI or MRS [monitored retrievable storage installation] shall be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of the license to any person, unless the Commission gives its consent in writing.

Section 72.6(b) of 10 CFR states:

A general license is hereby issued to receive title to and own spent fuel, high-level radioactive waste, or reactor-related GTCC [greater than Class C] waste without regard to quantity. Notwithstanding any other provision of this chapter, a general licensee under this paragraph is not authorized to acquire, deliver, receive, possess, use, or transfer spent fuel, high-level radioactive waste, or reactor-related GTCC waste except as authorized in a specific license.

Section 72.210 of 10 CFR states:

A general license is hereby issued for the storage of spent fuel in an independent spent fuel storage installation at power reactor sites to persons authorized to possess or operate nuclear power reactors under 10 CFR part 50....

Section 72.30 of 10 CFR discusses financial assurance for decommissioning ISFSIs.

Finally, with respect to the requested conforming license amendments, 10 CFR 50.90 states, in part:

Whenever a holder of a license ... desires to amend the license..., application for an amendment must be filed with the Commission ... fully describing the changes desired, and following as far as applicable, the form prescribed for original applications.

Pursuant to 10 CFR 2.1315, where administrative license amendments are necessary to reflect an approved license transfer, such amendments will be included in the order that approves the license transfer.

3.0 FINANCIAL EVALUATION

3.1 Financial Qualifications

As noted above, pursuant to 10 CFR 50.2, "decommission" means to remove a facility or site safely from service and reduce residual radioactivity to a level that permits (1) release of the property for unrestricted use and termination of the license or (2) release of the property under restricted conditions and termination of the license. As explained below, the NRC staff's review of financial qualifications for the proposed license transfer assesses whether the Applicants have provided reasonable assurance that funds will be available to the transferees to cover estimated costs for radiological decommissioning and spent fuel management activities at IP1, IP2, IP3, and the IPEC ISFSI, in accordance with the requirements of 10 CFR 50.33(f), 10 CFR 50.33(k)(1), 10 CFR 50.75, 10 CFR 50.82(a), and 10 CFR 72.30.

As previously noted, IP1 permanently ceased operations on October 31, 1974; IP2 permanently ceased operations on April 30, 2020; and pursuant to the purchase and sale agreement, the proposed transfer transaction is subject to IP3 having also permanently ceased operations. Accordingly, HDI (the proposed licensed operator for decommissioning) would not be authorized under the IPEC licenses to operate or load fuel in the IPEC reactors pursuant to 10 CFR 50.82(a)(2) and, therefore, would not conduct the operations contemplated by the financial qualifications provisions of 10 CFR 50.33(f). Rather, all of HDI's licensed activities would involve the possession of radioactive material in connection with maintaining the safe condition of the IPEC units and ISFSI, radiological decommissioning of the IPEC units and ISFSI, license termination, and operational responsibilities associated with spent fuel management. Thus, following the proposed transfer, Holtec IP2 and Holtec IP3 (the proposed licensed owners) would maintain the existing DTFs and would be responsible for funding all of the expenses associated with radiological decommissioning and the operational costs for spent fuel management. Therefore, as described in this SE, the NRC staff's evaluation of the HDI, Holtec IP2, and Holtec IP3 financial qualifications consists of an analysis of the projected costs for decommissioning the IPEC units and ISFSI and managing spent fuel until the DOE takes title and possession of the fuel.

As stated in the LTA, Holtec IP2 and Holtec IP3 would provide the decommissioning financial assurance required by 10 CFR 50.75, 10 CFR 50.82(a), and 10 CFR 72.30 for IP1, IP2, IP3, and the IPEC ISFSI using the prepayment method in accordance with 10 CFR 50.75(e)(1)(i) and 10 CFR 72.30(e)(1). Holtec IP2 and Holtec IP3 would retain the IP1, IP2, and IP3 DTFs, which, as of December 31, 2019, contained \$555.74 million, \$701.30 million, and \$929.97 million, respectively (as documented in ENOI's March 26, 2020, Decommissioning Funding Status Report (ADAMS Accession No. ML20086Q904)). According to the LTA, the transferees' right to draw on the funds of the IP1, IP2, and IP3 DTFs and the estimate of expected decommissioning, spent fuel management, and site restoration costs referred to in the LTA and reflected in HDI's PSDAR provide the requisite financial information for the proposed license transfer consistent with 10 CFR 50.33(f). Specifically, the LTA concludes that the projected DTFs values at the closing of the proposed transfer transaction are expected to fully fund HDI's SSCE for radiological decommissioning and spent fuel management costs, as well as site restoration costs, at the IPEC. The NRC staff's analysis of the transferees' financial qualifications follows.

3.1.1 Estimated Costs for Decommissioning the IPEC

Separate from the LTA, HDI submitted a PSDAR (the HDI PSDAR) reflecting its plans for radiological decommissioning, spent fuel management, and site restoration at the IPEC if the license transfer is approved and the proposed transfer transaction is consummated. The NRC staff treated this submittal as a supplement to the LTA. The HDI PSDAR includes the following:

- a description of the planned decommissioning activities along with a schedule for their accomplishment and
- estimates of expected decommissioning costs, including an SSCE, using the DECON method for decommissioning the IPEC site.

The HDI PSDAR reflects HDI's plan to complete the decommissioning of the non-ISFSI portions of the IPEC site using the DECON method from between 12 to 15 years after the proposed transfer transaction is consummated. The HDI PSDAR also contains the most recent decommissioning cost estimate and plan for spent fuel management and site restoration.

Following the partial site release scheduled for 2033 (i.e., the unrestricted release of the entirety of the IPEC site with the exception of the ISFSI), HDI plans to remove stored spent fuel and greater than Class C (GTCC) waste from the site, decommission the ISFSI, terminate its NRC licenses, and release the remainder of the IPEC site for unrestricted use by 2063. In accordance with the requirements of 10 CFR 72.30 for ISFSI decommissioning, the cost estimate for decommissioning the ISFSI reflects: (1) the cost of HDI's decommissioning contractor performing the decommissioning activities, (2) a contingency allowance of 25 percent, and (3) the cost of meeting the criteria for unrestricted use. The cost summary for decommissioning the IPEC ISFSI is presented in Appendix A of the HDI PSDAR.

As part of its review of the LTA, the NRC staff reviewed the SSCE provided with the HDI PSDAR to ensure that it contains the appropriate information pursuant to NUREG-1713, "Standard Review Plan for Decommissioning Cost Estimates for Nuclear Power Reactors," dated December 2004 (ADAMS Accession No. ML043510113), for decommissioning planning purposes, which includes:

- A description of the decommissioning cost estimating methodology,
- A description of the overall decommissioning project,
- A summary decommissioning cost estimate by major activity and phase,
- A schedule of the major decommissioning activities,
- A summary of the decommissioning management with support staff levels, and
- An estimate of radioactive waste volume.

The SSCE identified radiological decommissioning costs of \$485,015,000, \$469,456,000, and \$583,168,000 for IP1, IP2, and IP3, respectively, including costs for decommissioning the IPEC ISFSI; spent fuel management costs of \$72,381,000, \$188,278,000, and \$371,370,000 for IP1, IP2, and IP3, respectively; and site restoration costs of \$40,788,000, \$44,088,000, and \$47,840,000 for IP1, IP2, and IP3, respectively, for total costs of \$598,184,000, \$701,822,000, and \$1,002,378,000 for IP1, IP2, and IP3, respectively.

By RAI dated July 8, 2020, the NRC staff requested, among other things, that the Applicants provide features of their cost estimating techniques and/or decommissioning assumptions that would account for the differences in radiological decommissioning and spent fuel management

costs estimated for IP2 and IP3. The staff also requested that the Applicants justify the SSCE's contingency allowance of 18 percent, and whether such a contingency considered all significant decommissioning costs.

By letter dated August 7, 2020, HDI responded to the NRC staff RAI and provided additional detail about, and further justification for differences in, radiological decommissioning costs among the IPEC units, as well as further discussion about the SSCE contingency allowance of 18 percent. HDI identified two major factors that addressed, collectively, significant portions of the variances between radiological decommissioning and spent fuel management costs between IP2 and IP3. Specifically, HDI indicated that its schedule and sequence for performing the major decommissioning activities, including reactor segmentation, dismantling, and demolition at the IPEC, and differences in estimated Class A waste volumes, accounted for much of the differences in the radiological costs between the units as depicted in the SSCE.

With respect to the 18 percent contingency allowance, HDI discussed its use of simulation risk modeling tools to evaluate the impacts of uncertainty and risk events on the project, its schedule, and its costs. The use of these tools, coupled with reliance on decommissioning subject matter experts at HDI and CDI, helped HDI conclude in the SSCE that the 18 percent contingency allowance was reasonable and adequate. As stated by HDI:

Based on an integrated and extensive evaluation of estimate uncertainty and discrete risk events utilizing industry-accepted risk modeling tools and techniques in addition to a review of industry experience with similar decommissioning projects, the 18 percent Contingency Allowance reasonably bounds the universe of risks that are appropriate to be taken into account at the estimate phase (considering industry practice, accepted NRC methodology, and the information that is available today) for the IPEC decommissioning project. The development of the Contingency Allowance as discussed in the HDI [SSCE] was comprehensive and demonstrates its adequacy.

The NRC staff reviewed the estimated costs associated with each of the five major periods of decommissioning identified in the SSCE: pre-decommissioning planning and preparation, plant deactivation, safe storage operation, dismantlement, and ongoing ISFSI operations. In particular, the staff considered the costs associated with Period 4, the dismantlement period, and the overall program management costs, which, when combined, represent approximately 96 percent, 92 percent, and 95 percent of the estimated radiological decommissioning expenses at IP1, IP2, and IP3, respectively. Work completed during Period 4 will result in removed reactor components that will be packaged, placed in containers, and transported to storage, treatment, or disposal facilities; radioactive waste that will be packaged and shipped for disposal; and buildings that will be cleared of all radioactive components and declared ready for free release or demolition. The cost estimate anticipates that reactor vessel and internals segmentation activities will begin with IP3 and proceed to IP2 with anticipated efficiencies gained due to similarities in design of the IP2 and IP3 units. The staff reviewed the estimated costs associated with these activities, including the costs for site infrastructure and operational management, and concluded that these costs appear to be reasonable.

Regarding spent fuel management, the NRC staff reviewed the following information submitted as part of the LTA:

- Estimated costs to construct additional dry fuel storage capacity in order to isolate spent fuel at the IPEC,

- Estimated costs to transfer spent fuel to dry fuel storage canisters,
- Estimated costs to move and then place spent fuel into long term storage at the ISFSI,
- Operational costs of the ISFSI until all spent fuel is placed at the ISFSI, and
- Operational activities and affiliated costs from the time that all spent fuel is in storage at the ISFSI until spent fuel and GTCC waste is removed from the ISFSI for receipt by the DOE.

HDI's decommissioning plan includes expanding the existing ISFSI to provide the dry cask storage capacity required for the spent fuel currently in the IP3 reactor and in the IP2 and IP3 spent fuel pools. The expanded ISFSI will also include storage capacity for GTCC waste, with 13 GTCC canisters estimated to be needed for decommissioning activities. Spent fuel and GTCC waste will remain at the ISFSI until it is transferred to the DOE. HDI also provided clarifying information in its response to the NRC staff RAI regarding the differences in spent fuel management costs between IP2 and IP3. HDI indicated that the differences in spent fuel heat load between IP2 and IP3, the differing amounts of spent fuel stored in wet storage between IP2 and IP3, and the allocation of specific costs, such as those related to the use of a crane for IP3 only, were the primary factors that explain the differences in spent fuel cost estimates between IP2 and IP3.

Regarding spent fuel removal, the Applicants provided that IP1 possesses spent fuel that has early eligibility for removal by the DOE once it begins accepting spent fuel from the commercial nuclear industry. While dates by which the DOE will begin to accept spent fuel remain uncertain, the Applicants' spent fuel management plan assumes a start date of 2030. Based on this assumption and on the DOE-authorized exchange rights allowed for by the DOE standard contract, the Applicants estimated that for IP2, spent fuel removal will begin in 2031 and finish in 2048; for IP1, spent fuel removal will begin in 2048 and finish in 2049; and for IP3, spent fuel removal will begin in 2049 and finish in 2061. The number of IP1, IP2, and IP3 fuel assemblies requiring DOE acceptance is 160, 1,998, and 1,870, respectively, containing approximately 3,800 metric tons of uranium in total.

Regarding site restoration activities, HDI's decommissioning plan for the IPEC anticipates the majority of site restoration expenditures to occur during the first 12 years of decommissioning at the site (beginning in, and including, 2021). Site restoration costs are those costs associated with conventional dismantling, demolition, and removal from the site of structures and systems after confirmation that radioactive contaminants have been removed. Based upon the Applicants' decommissioning schedule, by the end of 2032, \$40.7 million of the \$40.8 million estimated site restoration costs at IP1 will have been incurred; \$42.9 million of the \$44.1 million estimated site restoration costs at IP2 will have been incurred; and \$46.8 million of the \$47.8 million estimated site restoration costs at IP3 will have been incurred. The description of site restoration activities provided by the Applicants identifies costs associated with building demolition, including equipment required for demolition, personnel costs, permit requirements, and surveys to perform hazardous waste (asbestos and lead paint) removal from buildings and components; demolition of site buildings to 3 feet below grade and backfill with clean fill material; demolition of above ground tanks; removal of parking lot surfaces; final grading; and final site restoration activities after ISFSI decommissioning and demolition is completed. In addition, the schedule for site restoration considers the required coordination with radiological decommissioning and spent fuel management activities.

The LTA, as supplemented by the HDI PSDAR and the Applicants' responses to the NRC staff RAI, provided a comprehensive cost estimate reflecting the full scope, schedule, cost, and

contingency baselines for the radiological decommissioning of the IPEC and for spent fuel management, as well as for site restoration activities. Consistent with guidance in NUREG-1713 and RG 1.202, "Standard Format and Content of Decommissioning Cost Estimates for Nuclear Power Reactors," dated February 2005 (ADAMS Accession No. ML050230008), the Applicants provided information on the decommissioning method selected; a description of, and schedules for, planned decommissioning activities; and estimates of expected costs, including decommissioning of the ISFSI. Schedule and cost details were provided for pre-decommissioning planning activities, facility shutdown activities, dismantlement activities within the radiologically controlled area, waste processing, storage, and disposal activities, site infrastructure and operation activities, project management, engineering, and support activities, spent fuel and nuclear material management activities, and site restoration activities. Therefore, the NRC staff determined that the LTA, as supplemented, addressed in sufficient detail the activities and associated costs required to complete the decommissioning of the IPEC.

Based on its independent review of the LTA, as supplemented, the NRC staff concludes that the Applicants have adequately addressed and evaluated all of the activities required to complete the decommissioning of the IPEC and to manage spent fuel, as well as site restoration activities, and their costs. Therefore, the staff concludes that the Applicants' estimates of the costs required to complete the decommissioning of the IPEC appear to be reasonable.

3.1.2 Availability of Funding for Decommissioning the IPEC

The LTA indicated that the proposed new owners of the IPEC, Holtec IP2 and Holtec IP3, would fully fund all decommissioning costs from the DTFs acquired in the proposed transfer transaction. With respect to the adequacy of this funding, the NRC staff reviewed the cost estimates, the DTFs balances, the pre-license transfer spending forecasts, and the projected DTFs growth. The staff performed independent cash flow analyses of the IPEC DTFs over the proposed 43-year period beginning in, and including, 2021, which includes all phases of the decommissioning project,¹ and determined the projected earnings² for each DTF. The cash flow analyses are contained in Attachments A, B, and C to this SE for IP1, IP2, and IP3, respectively.

Attachments A, B, and C to this SE reflect the NRC staff's cash flow analyses based on the decommissioning costs presented by the Applicants, which, as discussed above, the staff determined appear to be reasonable. These costs are divided into three categories: license termination (i.e., radiological decommissioning), spent fuel management, and site restoration. As reflected in the attached cash flow analyses, after annual withdrawals for decommissioning activities associated with IP1, IP2, IP3, and the IPEC ISFSI are considered, as well as withdrawals for annual expenditures associated with spent fuel management and site restoration activities, and including an annual 2-percent real rate of return on remaining trust assets, excess funds are present in each IPEC DTF at the end of 2033, the anticipated date of partial site release (i.e., the unrestricted release of the entirety of the site with the exception of the ISFSI). Specifically, the excess funds in the DTFs under this scenario equal \$54.8 million

¹ The 43-year period covers the 13-year radiological decommissioning period beginning in, and including, 2021, leading to the partial site release of IP1, IP2, and IP3, as well as the period of spent fuel management and ISFSI decommissioning prior to license termination. The staff's analyses also considered site restoration expenses during this period.

² Projected earnings were determined consistent with 10 CFR 50.75(e)(1)(i), which states, in part, "A licensee that has prepaid funds based on a site-specific estimate ... may take credit for projected earnings on the prepaid decommissioning trust funds, using up to a 2 percent annual real rate of return ... through the projected decommissioning period...."

for IP1, \$125.6 million for IP2, and \$269.1 million for IP3. At the time of partial site release in 2033, the Applicants estimate that for IP1, IP2, and IP3, 98 percent, 94 percent, and 96 percent, respectively, of total radiological decommissioning would have been completed. When evaluating decommissioning costs, including spent fuel management, site restoration, and ISFSI decommissioning costs, to 2063, the NRC staff again found a positive balance in each DTF. Specifically, the excess funds in the DTFs under this scenario equal \$19,996,000 for IP1, \$72,686,000 for IP2, and \$170,594,000 for IP3.

In assessing the adequacy of the DTFs to cover decommissioning costs, the NRC staff also considered the impact on returns in the equity markets as a result of the Coronavirus Disease 2019 (COVID-19) public health emergency and the potential impacts that this might have to the asset balances in the DTFs. During the staff's review, equity markets declined by 32 to 36 percent between mid-February to mid-March 2020, as measured by the Standard and Poor's 500 equity index (S&P 500) and the Dow Jones industrial average index. Since that time, however, these market indices have recovered from their March 2020 low valuations. As a result of these market recoveries, and recognizing that equity markets fluctuate with time, the staff was satisfied that the beginning DTF values used by the Applicants in the LTA appear to be reasonable. Additionally, despite the COVID-19 public health emergency, the S&P 500 index increased at a rate of approximately 13.2 percent during the last year (September 2019 to September 2020), after accounting for inflation and including reinvestment of dividends. Annualized returns from the S&P 500 index, after accounting for inflation and including reinvestment of dividends, equate to 8.0 percent, 4.1 percent, and 11.8 percent, for the preceding 30-year, 20-year, and 10-year periods, respectively. Accordingly, the staff continues to consider the 2-percent annual real rate of return allowed by the NRC's regulations to be conservative over the 43-year period of the planned IPEC decommissioning.

Based on its review, and in consideration of its independent cash flow analyses provided in Attachments A, B, and C to this SE, the NRC staff concludes that the Applicants have provided information sufficient to demonstrate that there is reasonable assurance that, after the proposed license transfer, funds will be available to cover estimated costs for decommissioning IP1, IP2, IP3, and the IPEC ISFSI.

3.1.3 Financial Qualifications Summary

The NRC staff determined that the Applicants adequately addressed and evaluated all decommissioning costs associated with all phases of decommissioning the IPEC site. Additionally, information provided by HDI further addressed the differences in estimated decommissioning costs between IP2 and IP3 and provided greater detail on the models and approaches for determining the contingency allowance used in developing the decommissioning cost estimates. Therefore, the staff concluded that the Applicants' estimate of radiological decommissioning costs of \$485,015,000, \$469,456,000, and \$583,168,000, spent fuel management costs of \$72,381,000, \$188,278,000, and \$371,370,000, and site restoration costs of \$40,788,000, \$44,088,000, and \$47,840,000 for IP1, IP2, and IP3, respectively, appear to be reasonable. Further, based on its review, and in consideration of its independent cash flow analyses, the NRC staff determined that, with respect to the IP1, IP2, and IP3 DTFs, which would be transferred to Holtec IP2 and Holtec IP3 as part of the proposed transfer transaction and used as the source of funds for decommissioning, they would have significant, positive balances at both the time of partial site release in 2033 and the time of license termination in 2063. Therefore, the staff also concluded that the Applicants provided reasonable assurance of the transferees obtaining the funds necessary to cover the estimated decommissioning costs. Taken together, the staff concludes that the Applicants provided reasonable assurance that the

transferees would be financially qualified to be the holders of the IPEC licenses in accordance with the requirements of 10 CFR 50.33(f), 10 CFR 50.33(k)(1), 10 CFR 50.75, 10 CFR 50.82(a), and 10 CFR 72.30.

3.2 Spent Fuel Management Funding at the IPEC; Exemption to Use Funds from the IPEC DTFs

For a facility in decommissioning, a licensee is required to execute financial plans for spent fuel management under 10 CFR 50.54(bb) and report annually on the status of funding dedicated towards radiological decommissioning and spent fuel management under 10 CFR 50.82(a)(8)(v) – (vii). At the close of the proposed transfer transaction, Holtec IP2 and Holtec IP3 would hold title to the spent fuel at the IPEC and the related DOE standard contracts, including all rights and obligations under the terms of those contracts (see Section 5.0, “Standard Contract for Disposal of Spent Nuclear Fuel and/or High Level Radioactive Waste,” of this SE for further discussion on this topic).

The LTA provided that the transferees’ funding plan for spent fuel management at the IPEC, as well as for site restoration activities, would rely on the use of funds from the appropriate DTF in excess of those needed for radiological decommissioning. In order to use excess funds from the DTFs for these purposes, HDI submitted to the NRC an exemption request dated February 12, 2020. Separate from this SE, the NRC staff reviewed and approved the exemption request (ADAMS Accession No. ML20309A788). The staff is issuing its approval of the exemption request concurrent with its approval of the LTA; the exemption is effective immediately, but will only apply to Holtec IP2, Holtec IP3, and HDI if and when the proposed transfer transaction is consummated.

The NRC staff’s review and independent analysis of the exemption request found that there was reasonable assurance that adequate funds would be available in each IPEC unit’s DTF to complete the radiological decommissioning of that unit, including the decommissioning of the ISFSI, and also to pay for the entirety of the estimated costs for spent fuel management and site restoration. This was based on an estimate of the IP1, IP2, and IP3 DTF balances of \$533.5 million, \$654.1 million, and \$916.1 million, respectively, at the consummation of the proposed transfer transaction in 2021 and an estimate of the IP1, IP2, and IP3 total decommissioning costs, including spent fuel management and site restoration costs, of \$598,184,000, \$701,822,000, and \$1,002,378,000, respectively, all of which estimates, as discussed above, the NRC staff concluded appeared to be reasonable. The following table provides a summary breakdown of these estimated costs.

| | IP1 | IP2 | IP3 |
|---|----------------|----------------|------------------|
| Radiological Decommissioning Costs | \$ 485,015,000 | \$ 469,456,000 | \$ 583,168,000 |
| Spent Fuel Management Costs | \$ 72,381,000 | \$ 188,278,000 | \$ 371,370,000 |
| Site Restoration Costs | \$ 40,788,000 | \$ 44,088,000 | \$ 47,840,000 |
| Totals | \$ 598,184,000 | \$ 701,822,000 | \$ 1,002,378,000 |

In its analysis and to confirm HDI's assumptions and calculations, the NRC staff, consistent with 10 CFR 50.75(e)(1)(i), applied a 2-percent annual real rate of return to the DTF balances, less annual costs for radiological decommissioning, spent fuel management, and site restoration, which resulted in significant, positive DTF balances at the time that all license termination activities are projected to be completed, as explained above. The staff's cash flow analyses in Attachments A, B, and C to this SE project that the IP1, IP2, and IP3 DTFs would contain approximately \$20.0 million, \$72.7 million, and \$170.6 million, respectively, after the completion of all radiological decommissioning (including ISFSI decommissioning), spent fuel management, and site restoration activities in 2063, considering partial site release in 2033 and the use of the DTFs to pay for all of these activities. The staff's cash flow analyses align with the cash flow analyses provided by the Applicants.

The NRC staff considered the findings from its evaluation of the exemption request as part of its review of the LTA. These findings support the staff's conclusion that the proposed use of the IPEC DTFs for spent fuel management and site restoration will not negatively impact the availability of funding for radiological decommissioning. Therefore, the staff concludes that the use of excess funds from the DTFs for spent fuel management provides a reasonable source of funding to cover the costs associated with those activities because, even after these withdrawals and withdrawals for site restoration activities, the decommissioning schedule proposed in the LTA would result in significant, positive ending balances in the IP1, IP2, and IP3 DTFs at license termination.

Additionally, Holtec IP2 and Holtec IP3 expect to recover from the DOE through litigation or settlement of their claims the spent fuel management costs that they will incur as a result of the DOE's breach of its obligations under the standard contracts. In recent years, DOE reimbursements have become more consistent and predictable despite the longevity of the litigation process and complexity of the DOE standard settlement agreements. Therefore, the NRC staff concludes that DOE reimbursements provide a reasonable source of funds to cover spent fuel management costs at the IPEC. However, the Applicants' annualized cash flows do not take credit for any DOE reimbursements and, instead, show that, even without DOE reimbursements, the IPEC DTFs will be sufficient to cover the costs of radiological decommissioning, spent fuel management, and site restoration, with significant, positive balances at license termination. Therefore, the potential for DOE reimbursements provides added conservatism to the Applicants' demonstration of spent fuel management funding.

Based on its determination that the assumptions, activities, and associated costs of HDI's spent fuel management plan for the IPEC appear to be reasonable and that the DTFs appear to be sufficient to cover these costs, the NRC staff concludes that there is reasonable assurance of the transferees obtaining the funds necessary to cover estimated costs for spent fuel management in accordance with 10 CFR 50.33(f) and 10 CFR 50.54(bb).

3.3 Financial Evaluation Conclusion

As discussed above, the NRC staff has concluded that the Applicants' estimate of decommissioning and spent fuel management costs, as well as site restoration costs, appears to be reasonable and that, with the acquisition of the IPEC DTFs by Holtec IP2 and Holtec IP3 as part of the proposed transfer transaction, the transferees have reasonable assurance of obtaining the funds necessary to cover decommissioning and spent fuel management costs in

accordance with 10 CFR 50.33(f), 10 CFR 50.33(k)(1), 10 CFR 50.54(bb), 10 CFR 50.75, 10 CFR 50.82(a), and 10 CFR 72.30.

Based on a regulatory commitment in the LTA, ENOI will be required to provide to the NRC pre-notification that Holtec IP2 and Holtec IP3 will enter into an operator services agreement with HDI prior to the planned closing date for the proposed transfer transaction. Therefore, the order approving the transfer will be conditioned as follows.

At least 2 business days before the planned closing date of the purchase and sale transaction, Holtec shall provide the Directors of the NRC's Office of Nuclear Material Safety and Safeguards (NMSS) and Office of Nuclear Reactor Regulation (NRR) with pre-notification that Holtec IP2 and Holtec IP3 and HDI will enter into a decommissioning operator services agreement that provides for HDI to act as agent for Holtec IP2 and Holtec IP3 and for Holtec IP2 and Holtec IP3 to pay HDI's costs of post-shutdown operations, including decommissioning and spent fuel management costs.

Additionally, based on a regulatory commitment in the LTA, ENOI will be required to provide to the NRC notice of the planned closing date for the proposed transfer transaction at least 2 days prior to the date planned so that the NRC staff can timely issue the conforming administrative license amendments. Therefore, the order approving the transfer will be conditioned as follows:

At least 2 business days before the planned closing date of the purchase and sale transaction, ENOI shall provide the Directors of NMSS and NRR with pre-notification of the planned transaction.

Considering the foregoing evaluation and license conditions, the NRC staff concludes that Holtec IP2 is financially qualified to be the licensed owner of Provisional Operating License No. DPR-5 for IP1 and Renewed Facility Operating License No. DPR-26 for IP2, that Holtec IP3 is financially qualified to be the licensed owner of Renewed Operating License No. DPR-64 for IP3, and that HDI is financially qualified to be the licensed operator of the IPEC licenses, as proposed.

4.0 DOE STANDARD CONTRACT FOR DISPOSAL OF SPENT NUCLEAR FUEL

By the terms of the proposed transfer transaction, Holtec IP2 and Holtec IP3 will hold title to the spent fuel at the IPEC and the related DOE standard contracts, including all rights and obligations under the terms of those contracts. Standard Contract No. DE-CR01-83NE44373, dated as of June 17, 1983, and Standard Contract, No. DE-CR01-83NE-44407, dated as of June 20, 1983 were entered into by the previous owners and the United States of America, represented by the DOE, to govern the disposal of the spent fuel generated at the IPEC. Holtec IP2 and Holtec IP3 expect to recover from the DOE through litigation or settlement of their claims the spent fuel management costs that they will incur as a result of the DOE's breach of its obligations under the standard contracts.

5.0 ANTITRUST REVIEW

The AEA does not require or authorize antitrust reviews of post-operating license transfer applications (*Kansas Gas and Electric Co., et al.* (Wolf Creek Generating Station, Unit 1), CLI-99-19, 49 NRC 441 (1999)). The LTA post-dates the issuance of the operating licenses for

the units under consideration in this SE and, therefore, no antitrust review is required or authorized.

6.0 FOREIGN OWNERSHIP, CONTROL, OR DOMINATION

The LTA provided that Holtec is a privately held corporation and is controlled by its Board of Directors, all of whom are U.S. citizens. The directors are ultimately appointed by Holtec's owners, who are trust companies organized in the State of Florida and are controlled by U.S. citizens. Holtec has been U.S.-owned since its inception in 1986 without any non-U.S. control or domination. The NRC has previously found that Holtec is not foreign owned, controlled, or dominated (see ADAMS Accession Nos. ML19095A457 and ML19170A250 regarding the transfers of the licenses for Oyster Creek Nuclear Generating Station (Oyster Creek) and Pilgrim Nuclear Power Station (Pilgrim), respectively). Holtec Power, NAMCo, Holtec IP2, Holtec IP3, and HDI are all directly or indirectly under Holtec's control, and all of the directors and executive committee members as identified in Attachment C to the LTA are U.S. citizens. The LTA provided that, although Holtec performs work in foreign countries, the contractual arrangements to provide products and services do not result in any FOCD of the Holtec organization or its subsidiaries or contracts; the activities conducted in foreign countries are ultimately controlled by U.S. citizens.

Further, the LTA provided that, as the licensed entity with possession of and responsibility for direct oversight, control, and decommissioning of the IPEC, HDI will act for itself and on behalf of Holtec IP2 and Holtec IP3, as their agent. Neither Holtec IP2 or Holtec IP3 nor HDI are acting as the agent or representative of any other entity in the proposed license transfer. The LTA also provided that CDI is jointly owned by HDI and SNC-Lavalin. HDI, as the majority owner of CDI, controls CDI. SNC-Lavalin, a company based in Montreal, Quebec, Canada, is a publicly-traded company on the Toronto Stock Exchange. CDI's role is defined as the decommissioning general contractor under a contract between HDI and CDI. CDI will not be the licensed owner or operator of the IPEC licenses and will not have direct access to the IPEC DTFs. CDI will perform decommissioning activities pursuant to its contract with HDI, subject to HDI's direct oversight and control. The LTA provided that there is no prohibition against a company with foreign minority ownership performing licensed activities at U.S. nuclear reactors; therefore, notwithstanding CDI's foreign minority ownership and engagement as the decommissioning operations contractor, Holtec and the licensee entities proposed for the IPEC will not be owned, controlled, or dominated by any foreign person.

Based on this information, the NRC staff finds that the transfer of the licenses to Holtec IP2, Holtec IP3, and HDI, as proposed, does not raise any issues related to FOCD within the meaning of the AEA and the NRC's regulations. In light of the above, and pursuant to Section 103d of the AEA and 10 CFR 50.38, the NRC staff concludes that it does not know or have reason to believe that any of the transferees or their respective owners will be owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government as a result of the license transfer.

7.0 NUCLEAR INSURANCE AND INDEMNITY

Pursuant to the requirements of the Price-Anderson Act (Section 170 of the AEA) and the NRC's implementing regulations in 10 CFR Part 140, the current indemnity agreement must be modified to reflect that, after the proposed transfer transaction, Holtec IP2 and Holtec IP3 (licensed owners) and HDI (licensed operator for decommissioning) will be the sole licensees for the IPEC licenses. Consistent with NRC practice, the NRC staff will require Holtec IP2,

Holtec IP3, and HDI to provide evidence that they have obtained the appropriate amount of insurance pursuant to 10 CFR 140.11(a)(4) and 10 CFR 50.54(w), and that the insurance is effective concurrent with the date of the license transfer and amended indemnity agreement. Therefore, the order approving the transfer will be conditioned as follows:

Before the closing of the license transfer, Holtec IP2, Holtec IP3, and HDI shall provide the Directors of NMSS and NRR satisfactory documentary evidence that they have obtained the appropriate amount of insurance required of a licensee under 10 CFR 140.11(a)(4) and 10 CFR 50.54(w).

Based on the above, the NRC staff concludes that the proposed license transfer, as conditioned, satisfies the nuclear insurance and indemnity requirements of 10 CFR Part 140 and 10 CFR Part 50.

8.0 TECHNICAL EVALUATION

8.1 Management and Technical Support Organization

The Applicants provided two figures of simplified organization charts in the LTA. The first figure shows the current chain of ownership of the IPEC licenses. The second figure shows the proposed post-transfer ownership structure.

Holtec International

On top of the post-transfer organization chart is Holtec, the parent company that will provide the leadership to transition the IPEC to active decommissioning and subsequent long-term dry storage of spent fuel. As stated by the Applicants, Holtec has specialized in spent fuel management technologies with resources and experience in nuclear decommissioning, spent fuel handling equipment, and spent fuel storage systems and components.

Holtec Decommissioning International

HDI, an indirect, wholly-owned subsidiary of Holtec, will become the IPEC licensed operator for decommissioning after the proposed transfer transaction.

As stated by the Applicants, HDI is structured to serve as a fully resourced organization to directly oversee and manage licensed decommissioning operations and the dismantlement of the IPEC units and ISFSI. The specific responsibilities of HDI are as follows:

- Assume responsibilities for the duties and obligations of the decommissioning operator licensee following the proposed transfer transaction, including development of and continuing compliance with the dry storage system Certificate(s) of Compliance and the licensing basis including the technical specifications, regulatory requirements, and regulatory commitments.
- Possess and dispose of radioactive material.
- Maintain the facility in a safe condition, including the storage, control, and protection of the spent fuel in the spent fuel pools and in the ISFSI until the ISFSI is decommissioned.
- Establish and implement governance processes to ensure compliance with the IPEC licenses and NRC regulations, and retain decision-making authority for any issues

related to compliance with the IPEC licenses (including whether to seek amendments thereto) and NRC regulations.

- Oversee the development and submittal of periodic licensing and regulatory actions (e.g., exemption requests and license amendment requests) required to support ongoing decommissioning activities.
- Assume authority and responsibility for modifications to the emergency preparedness and security plans and responses to NRC orders regarding security.
- Assume authority and responsibility for the functions necessary to fulfill the quality assurance (QA) requirements of the IPEC technical specifications and as specified in the IPEC Quality Assurance Program Manual in place at the time of the proposed transfer transaction.
- Ensure that the site safety procedures are consistent with Holtec's corporate safety plan.
- Ensure that only legitimate expenditures are made from, and ensure prudent investment management of, the IPEC DTFs.
- Serve as the interface with Holtec's counterparties, government organizations, and other stakeholders.
- Provide oversight of CDI, including oversight of schedule and cost control, QA, regulatory compliance, safety, security, and human resource management pursuant to the Decommissioning General Contractor Agreement.
- Oversee the development of tools, fixtures, and robots to improve the duration and as low as reasonably achievable goals of the decommissioning operations.

The Applicants stated that HDI is managed by Holtec senior staff to provide the requisite managerial capabilities and decision-making authority within the licensed organization. The Applicants provided in their supplement dated January 17, 2020, Figure A-1, "IPEC Combined Org Chart Depiction," a combined organizational chart that shows the relationships between Holtec, HDI, and the CDI senior management team for both corporate and technical groups. Table A-1, "Roles and Responsibilities of HDI Senior Management," which describes in detail the specific position, role, and that position's responsibilities, was also provided. The resumés for the senior management team (both HDI and CDI) are included in Attachment C of the LTA and in the supplement.

Comprehensive Decommissioning International

The Applicants stated that CDI is a company jointly owned by HDI and SNC-Lavalin Group's subsidiary, Kentz USA, Inc.; however, CDI is majority owned by HDI. CDI will perform the day-to-day activities at the IPEC, including the decommissioning activities pursuant to the Decommissioning General Contractor Agreement between HDI and CDI, and will be subject to HDI's direct oversight and control as the licensed operator.

CDI has stated that it plans to subcontract with nuclear industry vendors with decommissioning experience to complete various decommissioning activities. The Applicants stated that the subcontractor and vendor selection will be made consistent with customary industry vendor evaluation and selection processes. The key criteria for the subcontractor evaluation and vetting processes are listed in Section 5.E, "Strategic Partner Experience and Expertise," of Enclosure 1 of the LTA. Furthermore, HDI is the current licensed operator for Oyster Creek and Pilgrim, while CDI is HDI's Decommissioning General Contractor for these sites.

The Applicants stated that CDI has an experienced nuclear management team and its staff has extensive, in-depth experience in decommissioning a wide variety of nuclear power plants,

research reactors, and other facilities in technical areas including as low as reasonably achievable, nuclear security, waste management, dismantlement, project management, regulatory compliance, and environmental protection. Additionally, CDI will be staffed with a combination of Holtec and SNC-Lavalin personnel and it will have the ability to draw resources from them, as well. CDI has also transitioned experienced nuclear power plant personnel from Oyster Creek and Pilgrim. The Applicants stated that CDI will establish an integrated decommissioning organization from the ENOI IPEC decommissioning organization site personnel who will then be integrated into the CDI decommissioning organization. Those personnel will be placed in a manner consistent with their expertise and previous positions in the ENOI IPEC decommissioning organization. This personnel retention is intended to form a seamless organization operation under a common set of processes and procedures to minimize the interruption in technical support for operations.

As stated in the LTA, the integrated site decommissioning organization will provide the following:

- A single CDI site Decommissioning General Manager who reports to the HDI Site Vice President and is accountable to HDI for overall management, leadership, performance, nuclear safety, QA, and employee safety.
- Several key managers who report to the CDI Decommissioning General Manager who have responsibilities for radiological safety, spent fuel management, industrial health and safety, project administration and financial services, training, labor relations, fuel storage, regulatory affairs, QA, licensing, environmental, decontamination and decommissioning, engineering, operations, waste operations, and project controls. This organization provides an experienced nuclear management team with control over activities to maintain the site within the requirements of the IPEC licenses and perform decommissioning operations under HDI's direct oversight and control.
- Implementation of industry high standards, best practices, effective program and processes, and management controls.
- Effective and integrated oversight and technical support functions.

Furthermore, the Applicants stated that Holtec IP2 and Holtec IP3 will maintain the assets that will be needed to maintain the IPEC in accordance with NRC requirements and the IPEC licenses; specifically, the necessary books, records, safety and maintenance manuals, and engineering construction documents, in addition to the structures and equipment.

Conclusion

The Applicants have provided the organizational charts of the corporate-level and technical support organizations and the roles and responsibilities for the senior management teams. They have described the changes that will be made as a result of the proposed transfer transaction and listed the provisions that will be made for uninterrupted technical support for decommissioning operations. The Applicants have provided a basis for assurance that there will be sufficient resources and support from the parent company to conduct licensed activities at multiple sites. Based on the review of the LTA, the NRC staff finds the Applicants' management and technical organization, HDI, to be acceptable with the technical qualifications to support the transfer of the licenses to Holtec IP2 and Holtec IP3, and ENOI's operating authority to HDI. Therefore, the NRC staff concludes that the Applicants have provided

reasonable assurance that the license transfer will meet the relevant technical requirements of 10 CFR 50.80 and 10 CFR 50.34.

8.2 Operating Organization

The Applicants stated that prior to the proposed transfer transaction closing, ENOI and HDI will develop and implement a transition plan to facilitate a smooth transfer of licensed and decommissioning responsibilities at the IPEC. HDI management, along with HDI and CDI department leads, will verify completion of the transition plan.

The Applicants stated that the HDI decommissioning fleet corporate organization is based on a Governance, Oversight, Support, and Performance (GOSP) management model, which will be applied to the IPEC. The Applicants stated that the GOSP model provides for efficiency by establishing standard processes, procedures, and approaches at the corporate level and at the decommissioning sites. The GOSP model is similar to the model used by many operating plant fleets and is used in Holtec's current decommissioning plant fleet, which includes Oyster Creek and Pilgrim. Section 5.F of the LTA, "HDI's Ability to Conduct Licensed Activities at Multiple Sites," discusses the GOSP model principles in detail.

Regarding staffing levels, the Applicants stated that staffing levels at the time of the proposed transfer transaction will be fully compliant with the requirements of the IPEC licenses and NRC regulations. HDI has stated that it will fill the vacated positions due to attrition that were previously filled by incumbent employees with qualified personnel, subject to a determination of need for that position. This will be accomplished by finding other qualified employees, hiring from a community of retired IPEC employees, assigning qualified personnel from the HDI and CDI parent companies, and seeking qualified personnel from industry staff augmentation firms. All the individuals will be qualified to IPEC's programs and procedures, as applicable.

The Applicants stated that ENOI policies, programs, procedures, and work instructions applicable to the IPEC as of the proposed transfer transaction will be adopted in their current state, with minimal or no revisions or substitutions, and that HDI and CDI will continue to work in accordance with those documents, consistent with the Governance plans. As decommissioning progresses at the site, HDI stated that it intends to make changes to the site governance documents in accordance with NRC regulations, with the overall goal of standardizing site governance documents across the HDI decommissioning plant fleet as much as practicable. Furthermore, the existing IPEC programs and procedures at the time of the proposed transfer transaction, including the emergency plan, security plans, fire protection program, radiological protection program, certified fuel handler training, and QA program will also be implemented post-transfer. Should there be a need to make changes to these procedures, HDI will make that determination and make those changes in accordance with NRC regulations.

Additionally, the Applicants provided in Attachment A to the LTA the conforming administrative amendments to the licenses that reflect the proposed transfer of the IPEC licenses to HDI, Holtec IP2, and Holtec IP3, and the deletion of certain license conditions to reflect satisfaction and termination of certain obligations after the transfer.

Conclusion

The Applicants have provided a detailed discussion of HDI, the proposed IPEC licensed operator organization. The Applicants discussed HDI's technical qualifications, staffing level, and qualification requirements for the proposed staff. Based on the review of the LTA, the NRC

staff concludes that HDI will be an acceptable licensed operator organization and has adequate resources to provide technical support for the operation and maintenance of the IPEC under both normal and off-normal conditions. Therefore, the NRC staff concludes that the Applicants provided reasonable assurance that the license transfer will meet the relevant technical requirements of 10 CFR 50.80 and 10 CFR 50.34.

8.3 Technical Evaluation Conclusion

The NRC staff has reviewed the Applicants' request to transfer the IPEC licenses to Holtec IP2 and Holtec IP3 and the IPEC operating authority to HDI. The Applicants have described the management and technical support organization, as well as the operating organization that will be responsible for the maintenance and decommissioning of the IPEC after the proposed transfer transaction. Based on its evaluation as described above, the NRC staff determined that: (1) HDI will have an acceptable management organization, (2) HDI will retain an onsite organization capable of safely conducting decommissioning activities, and (3) HDI will have the technically qualified resources and experience to support the safe maintenance and decommissioning of the IPEC after the proposed transfer transaction. The staff also determined that the Applicants provided reasonable assurance that the transferees have met the relevant technical requirements of 10 CFR 50.80 and 10 CFR 50.34 to engage in the proposed activities. Accordingly, in light of the foregoing evaluation, the NRC staff concludes that Holtec IP2, Holtec IP3, and HDI are technically qualified to hold the IPEC licenses, as proposed.

9.0 LICENSE TRANSFER EVALUATION SUMMARY

Based on its review of the information provided in the LTA, as supplemented, its independent analysis, and the conditions described herein, the NRC staff finds that Holtec IP2 and Holtec IP3, with respect to being the licensed owners of the IPEC licenses, and HDI, with respect to being the licensed operator of the IPEC licenses, have satisfied the NRC's financial qualifications; decommissioning funding assurance; antitrust; foreign ownership, control, or domination; nuclear insurance and indemnity; and technical qualifications requirements. Therefore, the NRC staff concludes that: (1) the proposed transferees are qualified to be the holders of the licenses and (2) the transfer of the licenses is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

10.0 CONFORMING LICENSE AMENDMENTS

10.1 Conforming Amendments

The Applicants requested conforming amendments to Provisional Operating License No. DPR-5 for IP1 and Renewed Facility Operating License Nos. DPR-26 and DPR-65 for IP2 and IP3, respectively. The proposed conforming amendments reflect the proposed license transfer action. The proposed conforming amendments do not involve any change in the design or licensing basis, plant configuration, the status of the IPEC units, or the requirements of the IPEC licenses.

The NRC staff reviewed the proposed changes to the IPEC licenses and determined that they involve no safety questions, are administrative in nature, and are necessary to reflect the approved license transfer. Accordingly, the staff concludes that the proposed conforming amendments are acceptable. The amendments shall be issued and made effective at the time of the completion of the proposed transfer transaction.

10.2 No Significant Hazards Consideration

As provided in 10 CFR 2.1315, unless otherwise determined by the Commission with regard to a specific application, the Commission has determined that any amendment to the license of a utilization facility, which does no more than conform the license to reflect the transfer action, involves no significant hazards consideration. No contrary determination has been made by the Commission with regard to this specific application.

10.3 Conforming License Amendments Conclusion

The Commission has concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

11.0 HEARING REQUESTS AND PUBLIC COMMENTS

The NRC staff's notice of consideration of approval of the LTA and of consideration of amending the licenses to reflect the proposed transfer was published in the *Federal Register* on January 23, 2020 (85 FR 3947). This notice provided an opportunity to request a hearing within 20 days and an opportunity to comment within 30 days. The comment period was extended on February 19, 2020 (85 FR 9486), for an additional 30 days.

In response, on February 11, 2020, the Safe Energy Rights Group, Inc. (ADAMS Accession No. ML20042C984) and, on February 12, 2020, the State of New York (ADAMS Accession No. ML20043E118); the Town of Cortlandt, Village of Buchanan, and Hendrick Hudson School District (ADAMS Accession No. ML20043F054); and Riverkeeper, Inc. (ADAMS Accession No. ML20043F530) each filed separate hearing requests. These hearing requests are pending before the Commission. Because hearing requests are pending on the LTA, the order approving the transfer will be conditioned as follows:

The NRC staff's approval of this license transfer is subject to the Commission's authority to rescind, modify, or condition the approved transfer based on the outcome of any post-effectiveness hearing on the license transfer application.

The NRC also received over 400 comment submissions. The table in Attachment D of this SE provides a complete listing of the comment submissions, with the date and the ADAMS accession number for each submission, the submitter's name, and references to the topics listed below that most closely relate to the content of the submission. Additional comment submissions were received from the public and the State of New York after the *Federal Register* comment period had closed, and they are included in the summary table in Attachment D of this SE. The NRC staff also received oral comments that were applicable to the proposed license transfer during the Indian Point annual assessment meeting conducted by WebEx videoconference on September 22, 2020. A transcript of the public meeting is available at ADAMS Accession No. ML20289A537.

Generally, the topics discussed in the comment submissions received were:

- (1) Concerns about the responsibility for any decommissioning funding shortfalls and the financial integrity or technical qualifications and experience of Holtec and its partners and subsidiaries;
- (2) Concerns about the business ethics of Holtec and its partners and subsidiaries;
- (3) Concerns about site restoration and environmental degradation during site decontamination, demolition, and cleanup, including concerns about the use of the site after decommissioning;
- (4) Concerns about continued storage of spent fuel after decommissioning, transportation of spent fuel and radioactive waste, and where spent fuel will go once removed from the site;
- (5) Concerns about Holtec dry cask canister design and spent fuel handling operations;
- (6) Concerns about the sufficiency of the HDI PSDAR;
- (7) Concerns about Holtec's previous legal issues regarding alleged bribery charges and falsification of tax credit applications;
- (8) Concerns about reductions in staffing and ensuring that the necessary personnel are hired to ensure continued safety and security at the site, including in the areas of emergency planning;
- (9) Concerns about the Algonquin Incremental Market (AIM) natural gas pipeline and supporting hazard analysis;
- (10) Concerns referencing charges against SNC-Lavalin for corruption, fraud, and bribery relating to business operations;
- (11) Concerns that a public meeting should be held before the NRC staff approves the license transfer;
- (12) Concerns about unknown radiation ground contamination;
- (13) Concerns about NRC regulatory oversight, responsibilities, and communications regarding the license transfer review process;
- (14) Concerns about Holtec's use and management of the IPEC DTFs, its demonstration of financial assurance, and the effects on ratepayers; and Holtec's limited liability corporate structure and decommissioning business model, including the need for transparency of its financial terms for the proposed license transfer;
- (15) Concerns about the permanent closure of the IPEC, including global climate change and power production;
- (16) Concerns about the proposed license transfer and decommissioning activities during the COVID-19 public health emergency; and

- (17) Concerns that the Commission should fully adjudicate all pending hearing requests before issuing a determination on the LTA.

The NRC staff reviewed the hearing requests, the written comment submissions received during the open comment period, the additional written comment submissions received outside of the comment period, and the oral comments on the proposed license transfer received during the Indian Point annual assessment meeting, and considered them as part of its evaluation of the LTA. The comment submission topics within the scope of the NRC staff's review of the LTA are addressed in this SE. The staff also provides the following additional discussion of some of the comment submission topics.

Regarding comment submission topics 1 and 14 concerning technical and financial qualifications, the NRC staff reviewed the proposed management and technical organization of HDI and its general contractor, CDI, and determined that there is reasonable assurance that HDI (1) will have an acceptable management organization, (2) will retain an onsite organization capable of safely conducting decommissioning activities, and (3) will have the technically qualified resources and experience to support the safe maintenance and decommissioning of the IPEC after the proposed transfer transaction. The staff also determined that the Applicants have adequately addressed and evaluated all of the activities required to complete the decommissioning of the IPEC and to manage spent fuel, as well as site restoration activities, and their costs. The NRC staff concluded that the Applicants' estimates of the costs required to complete the decommissioning of the IPEC appear to be reasonable. Regarding the availability of funds for decommissioning the IPEC, based on its review, and in consideration of its independent cash flow analyses provided in Attachments A, B, and C to this SE, the NRC staff determined that the Applicants have provided information sufficient to demonstrate that there is reasonable assurance that, after the proposed license transfer, funds will be available to cover the total estimated costs for decommissioning the IPEC. Therefore, the staff concluded that the transferees have reasonable assurance of obtaining the funds necessary to cover decommissioning and spent fuel management costs. Regarding comments concerning the differences in cost estimates between the IPEC units and concerning the contingency allowance used in the cost estimates, the NRC staff issued an RAI to the Applicants on these topics. As discussed in this SE, the staff evaluated the Applicants' responses to this RAI and, coupled with the information provided in the LTA, concluded that the Applicants' estimates of the costs required to complete the decommissioning of the IPEC appear to be reasonable.

Moreover, the staff notes that, pursuant to 10 CFR 50.82(a)(8)(v) – (vii), during decommissioning, a licensee must submit a financial assurance status report and a spent fuel management funding status report to the NRC every year containing the actual costs to date, an updated estimate of the costs remaining, and the funds available, with any projected shortfall required to be made up. The staff also notes that the Applicants' discussion of available funding does not take credit for potential DOE reimbursements. In general, a licensee can cover projected shortfalls by methods that could include modifying the decommissioning schedule to allow for additional DTF growth or dedicating DOE reimbursements to decommissioning expenses.

Regarding comment submission topic 6 concerning the sufficiency of the HDI PSDAR, the NRC staff treated the PSDAR as a supplement to the LTA based on the determination that the site-specific decommissioning cost estimate information included in the PSDAR was necessary to complete the review of the LTA. The staff will only review the HDI PSDAR itself if and when the proposed license transfer transaction is consummated. Pursuant to 10 CFR 50.82(a)(4)(ii), this review would involve an opportunity for public comment and a public meeting.

Regarding comment submission topics 11 and 13 concerning the license transfer application review process and public participation, while there is no requirement for the NRC to hold a public meeting on license transfer applications, the NRC staff did communicate with the public and State and local officials regarding the LTA and the expected schedule for review completion during the September 22, 2020, Indian Point annual assessment public meeting. During that meeting there was an opportunity for members of the public to ask questions and to provide comments concerning the LTA. As stated above, the NRC staff considered these oral comments that were within the scope of its review of the LTA as part of its review. Additionally, the staff extended the written comment submission period to 60 days instead of the 30 days that is typically provided for license transfer applications. Finally, the staff has considered all within-scope comments received even if they were received after the close of the comment period.

Regarding comment submission topic 17 concerning the adjudication of pending hearing requests before the NRC staff approves the LTA, 10 CFR 2.1316 provides that, during the pendency of any hearing, the staff is expected to promptly issue approval or denial of license transfer requests. Moreover, the staff's approval of the LTA is explicitly made subject to the Commission's authority to later rescind, modify, or condition the approved transfer based on the outcome of any post-effectiveness hearing on the LTA.

12.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York State official was notified of the proposed license transfer and issuance of draft conforming amendments on October 28, 2020. The State official responded by letter dated November 12, 2020 (ADAMS Accession No. ML20318A379), stating, in part:

The State incorporates by reference the arguments made in its [hearing request], which the Commission has yet to address. The State strongly objects to the issuance of an NRC Staff determination on the IPEC license transfer application prior to a Commission ruling in the pending requests for hearing. The NRC should not grant the license transfer, or related regulatory exemptions, until the issues raised in the [hearing requests] are adjudicated or the [hearing requests] are denied. To do so deprives the State and the public of any meaningful input in the proceeding. Substantively, the State does not believe that the license transfer application as drafted may be granted without the imposition of additional financial assurance, which is provided for in NRC regulation for purposes precisely like this one. To grant the application without adequate financial safeguards puts the successful completion of the Indian Point decommissioning project in jeopardy.

As discussed above, the NRC staff reviewed these comments, as well as the State of New York hearing request and all of the other comments and hearing requests received, and considered them in its review of the LTA.

13.0 ENVIRONMENTAL CONSIDERATION

The subject application is for approval of a transfer of licenses issued by the NRC and for approval of associated amendments of the licenses required to reflect the approval of the transfer. Accordingly, the actions involved meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(21). Pursuant to 10 CFR 51.22(b), no environmental impact

statement or environmental assessment need be prepared in connection with the approval of the transfer application and conforming license amendments.

14.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that (1) the proposed transferees are qualified to be the holders of the licenses and (2) transfer of the licenses is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

The Commission has concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

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Date: November 23, 2020

SAFETY EVALUATION ATTACHMENT LIST

Attachment A: Unit 1, Indian Point Energy Center, Closing Balance Calculations in Support of Holtec Decommissioning International, LLC's Post-Shutdown Decommissioning Activities Report

Attachment B: Unit 2, Indian Point Energy Center, Closing Balance Calculations in Support of Holtec Decommissioning International, LLC's Post-Shutdown Decommissioning Activities Report

Attachment C: Unit 3, Indian Point Energy Center, Closing Balance Calculations in Support of Holtec Decommissioning International, LLC's Post-Shutdown Decommissioning Activities Report

Attachment D: Table of Public Comments Received

**ATTACHMENT A: Unit 1, Indian Point Energy Center
Closing Balance Calculations in Support of Holtec Decommissioning International,
LLC's Post-Shutdown Decommissioning Activities Report**
(thousands of 2019 Dollars)

| Year | Opening DTF Balance | License Termination Costs ^e | Spent Fuel Management Costs | Site Restoration Costs | Interest Earned ^f | Closing Balance |
|-------------------|---------------------|--|-----------------------------|------------------------|------------------------------|-----------------|
| 2021 ^a | \$533,532 | \$29,941 | \$2,676 | \$0 | \$5,844 | \$506,759 |
| 2022 | \$506,759 | \$27,637 | \$4,546 | \$0 | \$9,492 | \$484,068 |
| 2023 | \$484,068 | \$52,768 | \$2,516 | \$2,113 | \$8,533 | \$435,204 |
| 2024 | \$435,204 | \$65,344 | \$1,654 | \$4,550 | \$7,273 | \$370,929 |
| 2025 | \$370,929 | \$22,059 | \$1,708 | \$5,224 | \$6,839 | \$348,777 |
| 2026 | \$348,777 | \$25,850 | \$1,660 | \$5,076 | \$6,324 | \$322,515 |
| 2027 | \$322,515 | \$34,183 | \$1,582 | \$4,850 | \$5,638 | \$287,538 |
| 2028 | \$287,538 | \$30,731 | \$1,613 | \$4,943 | \$5,005 | \$255,256 |
| 2029 | \$255,256 | \$22,503 | \$1,702 | \$5,204 | \$4,517 | \$230,364 |
| 2030 | \$230,364 | \$50,400 | \$1,523 | \$1,804 | \$3,533 | \$180,169 |
| 2031 | \$180,169 | \$75,149 | \$1,465 | \$1,498 | \$2,041 | \$104,098 |
| 2032 | \$104,098 | \$37,915 | \$1,569 | \$5,460 | \$1,183 | \$60,338 |
| 2033 ^b | \$60,338 | \$2,422 | \$4,209 | \$0 | \$1,074 | \$54,781 |
| 2034 | \$54,781 | \$0 | \$2,870 | \$0 | \$1,038 | \$52,949 |
| 2035 | \$52,949 | \$0 | \$2,870 | \$0 | \$1,002 | \$51,080 |
| 2036 | \$51,080 | \$0 | \$2,875 | \$0 | \$964 | \$49,170 |
| 2037 | \$49,170 | \$0 | \$2,870 | \$0 | \$926 | \$47,226 |
| 2038 | \$47,226 | \$0 | \$2,870 | \$0 | \$887 | \$45,243 |
| 2039 | \$45,243 | \$0 | \$2,870 | \$0 | \$847 | \$43,220 |
| 2040 | \$43,220 | \$0 | \$2,875 | \$0 | \$807 | \$41,152 |
| 2041 | \$41,152 | \$0 | \$2,870 | \$0 | \$766 | \$39,048 |
| 2042 | \$39,048 | \$0 | \$2,870 | \$0 | \$724 | \$36,901 |
| 2043 | \$36,901 | \$0 | \$2,870 | \$0 | \$681 | \$34,712 |
| 2044 | \$34,712 | \$0 | \$2,875 | \$0 | \$637 | \$32,474 |
| 2045 | \$32,474 | \$0 | \$2,870 | \$0 | \$592 | \$30,196 |
| 2046 | \$30,196 | \$0 | \$5,162 | \$0 | \$501 | \$25,534 |
| 2047 | \$25,534 | \$145 | \$4,343 | \$0 | \$421 | \$21,467 |
| 2048 ^c | \$21,467 | \$386 | \$0 | \$0 | \$422 | \$21,503 |
| 2049 ^d | \$21,503 | \$386 | \$0 | \$0 | \$422 | \$21,539 |
| 2050 | \$21,539 | \$386 | \$0 | \$0 | \$423 | \$21,576 |
| 2051 | \$21,576 | \$386 | \$0 | \$0 | \$424 | \$21,614 |
| 2052 | \$21,614 | \$386 | \$0 | \$0 | \$425 | \$21,653 |
| 2053 | \$21,653 | \$386 | \$0 | \$0 | \$425 | \$21,692 |
| 2054 | \$21,692 | \$386 | \$0 | \$0 | \$426 | \$21,732 |

**ATTACHMENT A: Unit 1, Indian Point Energy Center
Closing Balance Calculations in Support of Holtec Decommissioning International,
LLC's Post-Shutdown Decommissioning Activities Report**
(thousands of 2019 Dollars)

| Year | Opening DTF Balance | License Termination Costs ^e | Spent Fuel Management Costs | Site Restoration Costs | Interest Earned ^f | Closing Balance |
|-------|---------------------|--|-----------------------------|------------------------|------------------------------|-----------------|
| 2055 | \$21,732 | \$714 | \$0 | \$0 | \$420 | \$21,438 |
| 2056 | \$21,438 | \$715 | \$0 | \$0 | \$414 | \$21,138 |
| 2057 | \$21,138 | \$715 | \$0 | \$0 | \$408 | \$20,831 |
| 2058 | \$20,831 | \$715 | \$0 | \$0 | \$402 | \$20,519 |
| 2059 | \$20,519 | \$715 | \$0 | \$0 | \$396 | \$20,200 |
| 2060 | \$20,200 | \$715 | \$0 | \$0 | \$390 | \$19,874 |
| 2061 | \$19,874 | \$715 | \$0 | \$0 | \$383 | \$19,543 |
| 2062 | \$19,543 | \$257 | \$0 | \$66 | \$384 | \$19,604 |
| 2063 | \$19,604 | \$0 | \$0 | \$0 | \$392 | \$19,996 |
| Total | | \$485,015 | \$72,381 | \$40,788 | | |

a – Reflects the estimated value of the DTF following the consummation of the transfer transaction in 2021, including deductions for costs incurred prior to consummation.

b – Anticipated year in which IP1 meets partial site release criteria.

c – Anticipated year in which the Department of Energy initiates taking possession of spent fuel from the ISFSI.

d – Anticipated year in which the Department of Energy completes taking possession of spent fuel from the ISFSI.

e – Includes funding for ISFSI decommissioning.

f – Based on 2% real rate of return consistent with 10 CFR 50.75(e)(1)(i), which considers growth of DTF net of taxes.

**ATTACHMENT B: Unit 2, Indian Point Energy Center
Closing Balance Calculations in Support of Holtec Decommissioning International,
LLC's Post-Shutdown Decommissioning Activities Report**
(thousands of 2019 Dollars)

| Year | Opening DTF Balance | License Termination Costs ^e | Spent Fuel Management Costs | Site Restoration Costs | Interest Earned ^f | Closing Balance |
|-------------------|---------------------|--|-----------------------------|------------------------|------------------------------|-----------------|
| 2021 ^a | \$654,078 | \$42,737 | \$27,287 | \$0 | \$6,814 | \$590,868 |
| 2022 | \$590,868 | \$69,990 | \$34,019 | \$1,825 | \$9,701 | \$494,735 |
| 2023 | \$494,735 | \$67,919 | \$11,439 | \$6,137 | \$8,185 | \$417,424 |
| 2024 | \$417,424 | \$33,157 | \$4,337 | \$6,618 | \$7,466 | \$380,779 |
| 2025 | \$380,779 | \$36,136 | \$1,608 | \$6,250 | \$6,736 | \$343,520 |
| 2026 | \$343,520 | \$32,379 | \$1,636 | \$6,358 | \$6,063 | \$309,210 |
| 2027 | \$309,210 | \$32,796 | \$1,635 | \$5,266 | \$5,390 | \$274,904 |
| 2028 | \$274,904 | \$51,731 | \$1,548 | \$1,884 | \$4,395 | \$224,135 |
| 2029 | \$224,135 | \$50,554 | \$1,553 | \$1,853 | \$3,404 | \$173,579 |
| 2030 | \$173,579 | \$8,592 | \$6,857 | \$0 | \$3,163 | \$161,293 |
| 2031 ^c | \$161,293 | \$8,592 | \$6,857 | \$0 | \$2,917 | \$148,760 |
| 2032 | \$148,760 | \$5,994 | \$5,905 | \$6,747 | \$2,602 | \$132,717 |
| 2033 ^b | \$132,717 | \$1,922 | \$7,701 | \$0 | \$2,462 | \$125,556 |
| 2034 | \$125,556 | \$0 | \$5,990 | \$0 | \$2,391 | \$121,957 |
| 2035 | \$121,957 | \$0 | \$6,000 | \$0 | \$2,319 | \$118,276 |
| 2036 | \$118,276 | \$0 | \$6,014 | \$0 | \$2,245 | \$114,507 |
| 2037 | \$114,507 | \$0 | \$6,000 | \$0 | \$2,170 | \$110,677 |
| 2038 | \$110,677 | \$0 | \$5,990 | \$0 | \$2,094 | \$106,781 |
| 2039 | \$106,781 | \$0 | \$6,000 | \$0 | \$2,016 | \$102,797 |
| 2040 | \$102,797 | \$0 | \$6,005 | \$0 | \$1,936 | \$98,728 |
| 2041 | \$98,728 | \$0 | \$6,000 | \$0 | \$1,855 | \$94,582 |
| 2042 | \$94,582 | \$0 | \$6,000 | \$0 | \$1,772 | \$90,354 |
| 2043 | \$90,354 | \$0 | \$6,000 | \$0 | \$1,687 | \$86,041 |
| 2044 | \$86,041 | \$0 | \$6,005 | \$0 | \$1,601 | \$81,637 |
| 2045 | \$81,637 | \$0 | \$5,990 | \$0 | \$1,513 | \$77,159 |
| 2046 | \$77,159 | \$0 | \$3,152 | \$0 | \$1,480 | \$75,488 |
| 2047 | \$75,488 | \$145 | \$749 | \$0 | \$1,492 | \$76,086 |
| 2048 ^d | \$76,086 | \$386 | \$0 | \$0 | \$1,514 | \$77,214 |
| 2049 | \$77,214 | \$386 | \$0 | \$0 | \$1,537 | \$78,364 |
| 2050 | \$78,364 | \$386 | \$0 | \$0 | \$1,560 | \$79,538 |
| 2051 | \$79,538 | \$386 | \$0 | \$0 | \$1,583 | \$80,735 |
| 2052 | \$80,735 | \$386 | \$0 | \$0 | \$1,607 | \$81,956 |
| 2053 | \$81,956 | \$386 | \$0 | \$0 | \$1,631 | \$83,201 |
| 2054 | \$83,201 | \$386 | \$0 | \$0 | \$1,656 | \$84,471 |

**ATTACHMENT B: Unit 2, Indian Point Energy Center
Closing Balance Calculations in Support of Holtec Decommissioning International,
LLC's Post-Shutdown Decommissioning Activities Report**
(thousands of 2019 Dollars)

| Year | Opening DTF Balance | License Termination Costs ^e | Spent Fuel Management Costs | Site Restoration Costs | Interest Earned ^f | Closing Balance |
|-------|---------------------|--|-----------------------------|------------------------|------------------------------|-----------------|
| 2055 | \$84,471 | \$3,274 | \$0 | \$0 | \$1,624 | \$82,821 |
| 2056 | \$82,821 | \$3,285 | \$0 | \$0 | \$1,591 | \$81,127 |
| 2057 | \$81,127 | \$3,285 | \$0 | \$0 | \$1,557 | \$79,399 |
| 2058 | \$79,399 | \$3,285 | \$0 | \$0 | \$1,522 | \$77,636 |
| 2059 | \$77,636 | \$3,285 | \$0 | \$0 | \$1,487 | \$75,838 |
| 2060 | \$75,838 | \$3,285 | \$0 | \$0 | \$1,451 | \$74,004 |
| 2061 | \$74,004 | \$3,285 | \$0 | \$0 | \$1,414 | \$72,134 |
| 2062 | \$72,134 | \$1,121 | \$0 | \$1,149 | \$1,397 | \$71,261 |
| 2063 | \$71,261 | \$0 | \$0 | \$0 | \$1,425 | \$72,686 |
| Total | | \$469,456 | \$188,278 | \$44,088 | | |

- a – Reflects the estimated value of the DTF following the consummation of the transfer transaction in 2021, including deductions for costs incurred prior to consummation.**
- b – Anticipated year in which IP2 meets partial site release criteria.**
- c – Anticipated year in which the Department of Energy initiates taking possession of spent fuel from the ISFSI.**
- d – Anticipated year in which the Department of Energy completes taking possession of spent fuel from the ISFSI.**
- e – Includes funding for ISFSI decommissioning.**
- f – Based on 2% real rate of return consistent with 10 CFR 50.75(e)(1)(i), which considers growth of DTF net of taxes.**

**ATTACHMENT C: Unit 3, Indian Point Energy Center
Closing Balance Calculations in Support of Holtec Decommissioning International,
LLC's Post-Shutdown Decommissioning Activities Report**
(thousands of 2019 Dollars)

| Year | Opening DTF Balance | License Termination Costs ^e | Spent Fuel Management Costs | Site Restoration Costs | Interest Earned ^f | Closing Balance |
|-------------------|---------------------|--|-----------------------------|------------------------|------------------------------|-----------------|
| 2021 ^a | \$916,100 | \$63,590 | \$46,741 | \$442 | \$9,395 | \$814,722 |
| 2022 | \$814,722 | \$103,657 | \$16,745 | \$3,833 | \$13,810 | \$704,297 |
| 2023 | \$704,297 | \$68,921 | \$35,203 | \$3,616 | \$11,931 | \$608,488 |
| 2024 | \$608,488 | \$51,552 | \$30,858 | \$3,514 | \$10,451 | \$533,016 |
| 2025 | \$533,016 | \$49,120 | \$1,421 | \$3,630 | \$9,577 | \$488,422 |
| 2026 | \$488,422 | \$52,082 | \$1,407 | \$3,594 | \$8,627 | \$439,965 |
| 2027 | \$439,965 | \$42,955 | \$1,451 | \$3,714 | \$7,837 | \$399,682 |
| 2028 | \$399,682 | \$26,334 | \$1,638 | \$4,192 | \$7,350 | \$374,869 |
| 2029 | \$374,869 | \$26,318 | \$1,638 | \$4,185 | \$6,855 | \$349,582 |
| 2030 | \$349,582 | \$26,314 | \$1,638 | \$4,186 | \$6,349 | \$323,793 |
| 2031 | \$323,793 | \$26,314 | \$1,638 | \$4,186 | \$5,833 | \$297,488 |
| 2032 | \$297,488 | \$22,366 | \$1,561 | \$7,751 | \$5,316 | \$271,126 |
| 2033 ^b | \$271,126 | \$2,581 | \$4,763 | \$0 | \$5,276 | \$269,058 |
| 2034 | \$269,058 | \$0 | \$3,607 | \$0 | \$5,309 | \$270,760 |
| 2035 | \$270,760 | \$0 | \$3,607 | \$0 | \$5,343 | \$272,496 |
| 2036 | \$272,496 | \$0 | \$3,612 | \$0 | \$5,378 | \$274,262 |
| 2037 | \$274,262 | \$0 | \$3,607 | \$0 | \$5,413 | \$276,068 |
| 2038 | \$276,068 | \$0 | \$3,607 | \$0 | \$5,449 | \$277,910 |
| 2039 | \$277,910 | \$0 | \$3,607 | \$0 | \$5,486 | \$279,789 |
| 2040 | \$279,789 | \$0 | \$3,612 | \$0 | \$5,524 | \$281,701 |
| 2041 | \$281,701 | \$0 | \$3,607 | \$0 | \$5,562 | \$283,656 |
| 2042 | \$283,656 | \$0 | \$3,607 | \$0 | \$5,601 | \$285,650 |
| 2043 | \$285,650 | \$0 | \$3,607 | \$0 | \$5,641 | \$287,683 |
| 2044 | \$287,683 | \$0 | \$3,612 | \$0 | \$5,681 | \$289,753 |
| 2045 | \$289,753 | \$0 | \$3,607 | \$0 | \$5,723 | \$291,869 |
| 2046 | \$291,869 | \$0 | \$4,433 | \$0 | \$5,749 | \$293,184 |
| 2047 | \$293,184 | \$0 | \$7,453 | \$0 | \$5,715 | \$291,446 |
| 2048 | \$291,446 | \$0 | \$11,953 | \$0 | \$5,590 | \$285,083 |
| 2049 ^c | \$285,083 | \$0 | \$11,917 | \$0 | \$5,463 | \$278,629 |
| 2050 | \$278,629 | \$0 | \$11,927 | \$0 | \$5,334 | \$272,036 |
| 2051 | \$272,036 | \$0 | \$11,917 | \$0 | \$5,202 | \$265,322 |
| 2052 | \$265,322 | \$0 | \$11,953 | \$0 | \$5,067 | \$258,436 |
| 2053 | \$258,436 | \$0 | \$11,927 | \$0 | \$4,930 | \$251,439 |
| 2054 | \$251,439 | \$0 | \$11,927 | \$0 | \$4,790 | \$244,302 |

**ATTACHMENT C: Unit 3, Indian Point Energy Center
Closing Balance Calculations in Support of Holtec Decommissioning International,
LLC's Post-Shutdown Decommissioning Activities Report
(thousands of 2019 Dollars)**

| Year | Opening DTF Balance | License Termination Costs ^e | Spent Fuel Management Costs | Site Restoration Costs | Interest Earned ^f | Closing Balance |
|-------------------|---------------------|--|-----------------------------|------------------------|------------------------------|-----------------|
| 2055 | \$244,302 | \$2,888 | \$11,917 | \$0 | \$4,590 | \$234,087 |
| 2056 | \$234,087 | \$2,899 | \$11,943 | \$0 | \$4,385 | \$223,630 |
| 2057 | \$223,630 | \$2,899 | \$11,927 | \$0 | \$4,176 | \$212,980 |
| 2058 | \$212,980 | \$2,899 | \$11,927 | \$0 | \$3,963 | \$202,117 |
| 2059 | \$202,117 | \$2,899 | \$11,927 | \$0 | \$3,746 | \$191,037 |
| 2060 | \$191,037 | \$2,899 | \$11,943 | \$0 | \$3,524 | \$179,719 |
| 2061 ^d | \$179,719 | \$2,899 | \$11,912 | \$0 | \$3,298 | \$168,206 |
| 2062 | \$168,206 | \$782 | \$2,459 | \$996 | \$3,279 | \$167,249 |
| 2063 | \$167,249 | \$0 | \$0 | \$0 | \$3,345 | \$170,594 |
| Total | | \$583,168 | \$371,370 | \$47,840 | | |

a – Reflects the estimated value of the DTF following the consummation of the transfer transaction in 2021, including deductions for costs incurred prior to consummation.

b – Anticipated year in which IP3 meets partial site release criteria.

c – Anticipated year in which the Department of Energy initiates taking possession of spent fuel from the ISFSI.

d – Anticipated year in which the Department of Energy completes taking possession of spent fuel from the ISFSI.

e – Includes funding for ISFSI decommissioning.

f – Based on 2% real rate of return consistent with 10 CFR 50.75(e)(1)(i), which considers growth of DTF net of taxes.

Attachment D – Table of Public Comments Received

| Accession Number | Submission Date | Commenter Name | Comment Topic Reference Number |
|------------------|-----------------|--|---------------------------------------|
| ML20050N670 | 01/31/2020 | Joel Gingold | (1), (2), (5), (10), (14) |
| ML20063L685 | 02/07/2020 | Joseph Hochreiter | (11), (13) |
| ML20049H233 | 02/07/2020 | Benjamin Boykin | (1), (2), (4), (9), (12), (14) |
| ML20054B444 | 02/10/2020 | Bruce Rosen | (1), (2) |
| ML20063L683 | 02/10/2020 | Thomas Abinanti | (11), (13) |
| ML20044G103 | 02/11/2020 | Brian Fitzpatrick | (15) |
| ML20054B411 | 02/11/2020 | Sally Gellert | (1), (2), (4), (11), (14) |
| ML20054B449 | 02/11/2020 | Courtney Williams | (6), (9) |
| ML20052E506 | 02/11/2020 | Courtney Williams (2 nd submission) | (1), (6), (14) |
| ML20044G097 | 02/12/2020 | Darrell Corti | (15) |
| ML20044G098 | 02/12/2020 | J Best | (15) |
| ML20044G100 | 02/12/2020 | Lynn Mastroddi | (1) |
| ML20054B442 | 02/12/2020 | Anonymous | N/A |
| ML20054B443 | 02/12/2020 | Anonymous | (11), (13) |
| ML20054B448 | 02/12/2020 | Cora Impenna | (1), (2), (4), (5), (7), (11), (14) |
| ML20054B451 | 02/12/2020 | Daniel Frome | (1), (14) |
| ML20054B454 | 02/12/2020 | James Phelan | (1), (11) |
| ML20057F699 | 02/12/2020 | Mariella Vargas | (1), (2), (11) |
| ML20057F705 | 02/12/2020 | Anonymous | (13) |
| ML20057F708 | 02/12/2020 | Courtney Nandagiri | (1), (2), (5), (10), (11), (13), (14) |
| ML20044G101 | 02/13/2020 | Robert May | (1), (2), (6), (9), (11) |
| ML20044G102 | 02/13/2020 | Robyn Ruina | (1), (2), (5), (10), (11), (13), (14) |
| ML20050L281 | 02/13/2020 | Dylan Basescu. | (1), (9) |
| ML20054B457 | 02/13/2020 | Jennifer Horowitz | (1), (2) |
| ML20054B470 | 02/13/2020 | Polly Bijur | (1), (2), (5), (10) |
| ML20058E948 | 02/13/2020 | Mary Grenough | (1), (4), (6), (9), (12), (14) |
| ML20058E950 | 02/13/2020 | Michelle Babian | (1), (4), (6), (9), (12), (14) |
| ML20058E951 | 02/13/2020 | Mitchell Miller | (1), (4), (6), (9), (12), (14) |
| ML20058E954 | 02/13/2020 | Molly Mosher | (1), (4), (6), (9), (12), (14) |
| ML20058E956 | 02/13/2020 | Monika Half | (1), (4), (6), (9), (12), (14) |
| ML20058E957 | 02/13/2020 | Nell Cox | (1), (4), (6), (9), (12), (14) |

| Accession Number | Submission Date | Commenter Name | Comment Topic Reference Number |
|------------------|-----------------|------------------------------|---|
| ML20058E960 | 02/13/2020 | Pamela Hudson | (1), (4), (6), (9), (12), (14) |
| ML20058E961 | 02/13/2020 | Patricia Young | (1), (3), (4), (6), (9), (12), (14) |
| ML20058E963 | 02/13/2020 | Robert Puca | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E965 | 02/13/2020 | Robin Meadows | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E967 | 02/13/2020 | Russ Demarest | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E969 | 02/13/2020 | Stan Jacob | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E971 | 02/13/2020 | Susan Hayward | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E972 | 02/13/2020 | Ted Sabety | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E973 | 02/13/2020 | Theresa Kardos | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E974 | 02/13/2020 | Wendy Fast | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E976 | 02/13/2020 | Adele Pascucci | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E978 | 02/13/2020 | Allan Goldhammer | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E980 | 02/13/2020 | Bob Stein | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E981 | 02/13/2020 | Candance Balmer | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E985 | 02/13/2020 | Carl Grimm | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E989 | 02/13/2020 | Carol Milano | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E990 | 02/13/2020 | Carol Seaver | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E992 | 02/13/2020 | Cathy Carnevale | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E993 | 02/13/2020 | Christopher Esposito | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E995 | 02/13/2020 | Cristina Ramos-Payne | (1), (4), (6), (9), (10), (12), (14) |
| ML20058E996 | 02/13/2020 | Deidre Moderaki | (6) |
| ML20058E998 | 02/13/2020 | Edward Brody | (1), (6), (9), (10), (14) |
| ML20058E999 | 02/13/2020 | Frances and Gregory Jacobson | (1), (4), (6), (9), (10), (12), (14) |
| ML20058F002 | 02/13/2020 | Fred Robin | (1), (4), (6), (9), (10), (12), (14) |
| ML20058F004 | 02/13/2020 | Grace Gordon | (1), (4), (6), (9), (10), (12), (14) |
| ML20058F006 | 02/13/2020 | James Desmond | (1), (4), (6), (9), (10), (12), (14) |
| ML20058F007 | 02/13/2020 | James Mulder | (1), (4), (6), (9), (10), (12), (14) |
| ML20058F008 | 02/13/2020 | Jill McManus | (1), (2), (4), (6), (9), (10), (12), (14) |
| ML20058F009 | 02/13/2020 | Kathie Mock | (1), (4), (6), (9), (10), (12), (14) |
| ML20058F010 | 02/13/2020 | Liz Wassell | (1), (4), (6), (9), (10), (12), (14) |
| ML20058F012 | 02/13/2020 | Maria Ragucci | (1), (4), (6), (9), (10), (12), (14) |
| ML20058F014 | 02/13/2020 | Marion Lakatos | (1), (4), (6), (9), (10), (12), (14) |
| ML20054A031 | 02/14/2020 | Jay Forbes | (1) |

| Accession Number | Submission Date | Commenter Name | Comment Topic Reference Number |
|------------------|-----------------|------------------------|---|
| ML20054B453 | 02/14/2020 | Fred Polvere | (1) |
| ML20054B473 | 02/14/2020 | Robert May | (1), (2), (3), (4), (11) |
| ML20052E411 | 02/14/2020 | Gerald Ravnitzky | (1), (2), (4), (5), (10), |
| ML20058G750 | 02/14/2020 | Norman Rosenberg | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G751 | 02/14/2020 | Philip Viola | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G752 | 02/14/2020 | Robin Alpern | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G753 | 02/14/2020 | Robin Knauth | (1), (2), (4), (6), (9), (10), (12), (14) |
| ML20058G755 | 02/14/2020 | Susan Schwarz | (1), (4), (6), (9), (10), (14) |
| ML20058G757 | 02/14/2020 | Tracey Jordan | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G759 | 02/14/2020 | Amy Anderson | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G761 | 02/14/2020 | Charles Zekus | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G763 | 02/14/2020 | Daniel White | (1) |
| ML20058G764 | 02/14/2020 | Gail Hovey | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G765 | 02/14/2020 | Gail Moran | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G766 | 02/14/2020 | Jean Naples | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G767 | 02/14/2020 | Jerold Huebner | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G768 | 02/14/2020 | Joan Gussow | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G769 | 02/14/2020 | K.P. Muller | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G770 | 02/14/2020 | Katherine Desmond | (1), (3), (4), (6), (9), (10), (12), (14) |
| ML20058G774 | 02/14/2020 | Linda and Larry Queipo | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G776 | 02/14/2020 | Lisa Harrison | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G780 | 02/14/2020 | Lucile Hamlin | (1), (4), (6), (9), (10), (12), (14) |
| ML20058G781 | 02/14/2020 | Lynn Bowdery | (1), (3), (4), (6), (9), (10), (12), (14) |
| ML20058G783 | 02/14/2020 | Naomi Woodard | (1), (4), (6), (9), (10), (12), (14) |
| ML20072M657 | 02/14/2020 | Elizabeth Peterson | (1), (2), (5), (10), (11), (13), (14) |
| ML20054A030 | 02/15/2020 | Susan Van Dolsen | (1), (2), (5), (9) |
| ML20054B452 | 02/15/2020 | Edith Kantrowitz | (1), (2), (5), (11) |
| ML20054B461 | 02/15/2020 | Judith Canepa | (1), (2), (4), (5), (11) |
| ML20058H117 | 02/15/2020 | Leslie English | (1), (4), (6), (9), (10), (12), (14) |
| ML20058H118 | 02/15/2020 | Martin Lupowitz | (1), (4), (6), (9), (10), (12), (14) |
| ML20050M260 | 02/16/2020 | Cherie Raglin | (2) |
| ML20050M883 | 02/16/2020 | Sheryl Lerner | (11) |

| Accession Number | Submission Date | Commenter Name | Comment Topic Reference Number |
|------------------|-----------------|-------------------|---|
| ML20054B458 | 02/16/2020 | John Cavuoto | (2), (5), (11) |
| ML20054B467 | 02/16/2020 | Peter Arno | (1), (2), (7) |
| ML20058H106 | 02/16/2020 | Iris Arno | (1), (4), (6), (9), (10), (12), (14) |
| ML20058H124 | 02/16/2020 | Vincent Ferri | (1), (4), (6), (9), (10), (12), (14) |
| ML20058H136 | 02/16/2020 | Doretta Cornell | (1), (2), (4), (6), (9), (10), (12), (14) |
| ML20058H138 | 02/16/2020 | Elaine Weir | (1), (2), (4), (6), (9), (10), (12), (14) |
| ML20050M905 | 02/17/2020 | Linda DeStefano | (9), (11) |
| ML20050N390 | 02/17/2020 | Felicia Tavares | (11) |
| ML20054B416 | 02/17/2020 | Sally Jones | (2), (6), (10), |
| ML20054B437 | 02/17/2020 | Susan Van Dolsen | (2), (5), (9) |
| ML20054B438 | 02/17/2020 | Suzannah Glidden | (1), (6), (7), (9), (11), (14) |
| ML20054B440 | 02/17/2020 | Victor Tiship | (1), (3), (4), (9), (11), (12) |
| ML20054B446 | 02/17/2020 | Bryan Dunlap | (4), (11), (13) |
| ML20054B455 | 02/17/2020 | Jean Fallon | (1), (2), (5), (6), (9), (11),(12), (13) |
| ML20054B464 | 02/17/2020 | Kelly Lundeen | (1), (2), (6), (9) |
| ML20054B469 | 02/17/2020 | Peter Gollon | (1), (3), (6), (11) |
| ML20052E413 | 02/17/2020 | Joan Gussow | (5), (7), (9), (10), (11) |
| ML20058H111 | 02/17/2020 | Lance Haug | (1), (2), (5), (10), (11), (13), (14) |
| ML20066G809 | 02/17/2020 | Wendy Whetsel | (9) |
| ML20066G811 | 02/17/2020 | Paul Corell | (3), (11) |
| ML20066G814 | 02/17/2020 | Alice Slater | (4), (10), (11), (14) |
| ML20066G816 | 02/17/2020 | Julie Woodward | (1), (7), (9), (12), (13) |
| ML20066G818 | 02/17/2020 | Nivo Rovedo | (6), (7), (9), (10), (11), (14) |
| ML20066G820 | 02/17/2020 | Judy Allen | (6), (7), (9), (10), (11), (12), (14) |
| ML20066G821 | 02/17/2020 | Alex Stavis | (6), (9), (12), (14) |
| ML20054A026 | 02/18/2020 | Janine Melillo | (1), (2) |
| ML20054A027 | 02/18/2020 | Susan Montemorano | (1) |
| ML20054A028 | 02/18/2020 | Tom Siracuse | (5) |
| ML20054A029 | 02/18/2020 | Thomas Siracuse | (1) |
| ML20054B441 | 02/18/2020 | Anne Carter | (11) |
| ML20054B466 | 02/18/2020 | Martha Saxton | (5), (9), (10), (11), (12), (14) |
| ML20054B472 | 02/18/2020 | Richard Fennelly | (1) |
| ML20052E405 | 02/18/2020 | Pat Schories | (5), (6), (9), (10), (11), (12) |

| Accession Number | Submission Date | Commenter Name | Comment Topic Reference Number |
|------------------|-----------------|--------------------|---|
| ML20058H119 | 02/18/2020 | Michael Hamilton | (1), (2), (4), (5), (7), (11), (14) |
| ML20058H139 | 02/18/2020 | Harvey Weiss | (1), (2), (4), (5), (7), (11), (14) |
| ML20063L712 | 02/18/2020 | Ramona Harragin | (3), (5), |
| ML20063L711 | 02/18/2020 | Vicki McFadyen | (7), |
| ML20054B447 | 02/19/2020 | Catherine Skopic | (3), (5) |
| ML20054B450 | 02/19/2020 | Dale Saltzman | (11) |
| ML20052E408 | 02/19/2020 | Catherine Skopic | (1), (7), (10), (11) |
| ML20058H121 | 02/19/2020 | Nancy Brown | (1), (4), (6), (9), (12), (14) |
| ML20058H125 | 02/19/2020 | Alisa Eilenberg | (1), (4), (6), (9), (12), (14) |
| ML20066G822 | 02/19/2020 | Andy Stein | (5), (6), (7), (9), (10), (12), (14) |
| ML20066G824 | 02/19/2020 | John Reynolds | (11) |
| ML20066G826 | 02/19/2020 | Donna Knipp | (6), (9), (11), (12), (14) |
| ML20054A032 | 02/20/2020 | Robert Emerick | (13) |
| ML20054B460 | 02/20/2020 | John Sullivan | (1), (5), (7), (11), (13) |
| ML20054B462 | 02/20/2020 | Judy Jacobs | (5), (7), (11) |
| ML20054B475 | 02/20/2020 | S. Anspach | (1), (11) |
| ML20052E400 | 02/20/2020 | John Dunn | (1), (10) |
| ML20052E402 | 02/20/2020 | Jordan Dale | (12) |
| ML20052E404 | 02/20/2020 | Laura Lynch | (1), (4), (6), (9), (12), (14) |
| ML20052E407 | 02/20/2020 | Arelene Novich | (3) |
| ML20052E410 | 02/20/2020 | Don Hawkins | (1), (4), (6), (9), (12), (14) |
| ML20058H108 | 02/20/2020 | Jan Boudart | (10) |
| ML20058H122 | 02/20/2020 | Russell Faller | (1), (4), (6), (9), (12), (14) |
| ML20062G094 | 02/20/2020 | Kara Uleman | (7), (9), (11), (12), |
| ML20066G807 | 02/20/2020 | Susan Spieler | (11) |
| ML20066G828 | 02/20/2020 | Nydia Leaf, et al | (6), (7), (11) |
| ML20052E559 | 02/21/2020 | Iris Arno | (1), (2), (7) |
| ML20052E560 | 02/21/2020 | Jacquelyn Dreshler | (1), (5), (11) |
| ML20052E561 | 02/21/2020 | Lynda Scneekloth | (5), (7), (9) |
| ML20052E609 | 02/21/2020 | Erin Macchiaroli | (1), (2), (3), (4), (6), (7), (9), (10), (14) |
| ML20055G106 | 02/21/2020 | Robert Conticchio | (3) |
| ML20055G109 | 02/21/2020 | Sally Gellert | (3), (11) |

| Accession Number | Submission Date | Commenter Name | Comment Topic Reference Number |
|------------------|-----------------|--------------------|--|
| ML20055G120 | 02/21/2020 | Jeff Tyler | (3), (4) |
| ML20055G125 | 02/21/2020 | Mai Jacobs | (1), (4), (5), (6), (14) |
| ML20058H107 | 02/21/2020 | Jackson Gillman | (1), (4), (6), (9), (10), (14) |
| ML20058H109 | 02/21/2020 | Jane Alcorn | (1), (4), (6), (9), (10), (14) |
| ML20058H120 | 02/21/2020 | Nancy Boyd | (1), (3), (6), (9), (10), (14) |
| ML20058H130 | 02/21/2020 | Bella Kosmacher | (1), (3), (6), (9), (10), (14) |
| ML20062G058 | 02/21/2020 | Naomi Schechter | (1), (3), (6), (9), (10), (14) |
| ML20062G061 | 02/21/2020 | Philip Van Itallie | (1), (3), (13) |
| ML20062G063 | 02/21/2020 | Robert May | (6), (9), (14) |
| ML20062G065 | 02/21/2020 | Robin Wald | (3), (4) |
| ML20062G070 | 02/21/2020 | Amy Anderson | (1), (3), (7), (9), (10), (14) |
| ML20062G071 | 02/21/2020 | Amy Benesch | (1) |
| ML20062G073 | 02/21/2020 | Andrea Bunch | (1), (6), (9), (12), (14) |
| ML20062G077 | 02/21/2020 | Art Shervs | (10) |
| ML20062G080 | 02/21/2020 | Arthur Greenberg | (3) |
| ML20062G081 | 02/21/2020 | Benny Cipriano | (3) |
| ML20062G083 | 02/21/2020 | Corinne Kelly | (1), (2), (4), (5), (8), (9), (12), (14) |
| ML20062G086 | 02/21/2020 | Dorothea Halliday | (1) |
| ML20062G087 | 02/21/2020 | Frank Stoppenbach | (1), (2), (4), (5), (6), (9), (12), (14) |
| ML20062G091 | 02/21/2020 | Heidi Hutner | (1), (2), (3), (4), (5) |
| ML20062G093 | 02/21/2020 | Jamie Levato | (13) |
| ML20062G096 | 02/21/2020 | Krystal Ford | (1), (2), (7), (9), (10), (12), (14) |
| ML20062G098 | 02/21/2020 | Lori Gross | (3), (7) |
| ML20063L684 | 02/21/2020 | Henry Kelly | (1), (3), (4), (8), (9), (12), (14) |
| ML20055G101 | 02/22/2020 | Michele Reed | (1), (7) |
| ML20055G102 | 02/22/2020 | Peggy Kurtz | (6), (7), (11), (12) |
| ML20055G105 | 02/22/2020 | Peter Guerrero | (1) |
| ML20055G108 | 02/22/2020 | Robert Petrie | (1) |
| ML20055G114 | 02/22/2020 | Carla Johnson | (1), (9), (11), (12), (14) |
| ML20055G115 | 02/22/2020 | Chris Owens | N/A |
| ML20058H127 | 02/22/2020 | Anne Symmes | (1), (4), (6), (9), (10), (14) |
| ML20058H128 | 02/22/2020 | Arthur Lubow | (1), (4), (6), (9), (10), (14) |

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| ML20058H134 | 02/22/2020 | Bente Strong | (1), (4), (6), (9), (10), (14) |
| ML20062G068 | 02/22/2020 | Scott Gassman | (1), (14) |
| ML20062G082 | 02/22/2020 | Bruce Esrig | (3) |
| ML20064C570 | 02/22/2020 | Anne Scheinberg | (13) |
| ML20064C571 | 02/22/2020 | Bradley Kerr | (1), (9), (14) |
| ML20064C572 | 02/22/2020 | Denise Marinaccio | N/A |
| ML20064C574 | 02/22/2020 | Dillon Reilly | (1) |
| ML20064C576 | 02/22/2020 | Kathleen Quinn | (1), (14) |
| ML20064C579 | 02/22/2020 | Laura Lamash | (1), (3), (4) |
| ML20064C580 | 02/22/2020 | Lori Morris | (1), (3), (4) |
| ML20064C582 | 02/22/2020 | Marina Gutierrez | (14) |
| ML20064D046 | 02/22/2020 | James Sheehan | (1), (5), (6), (9), (10), (14) |
| ML20064D049 | 02/22/2020 | Kathleen Sweeney | (1), (7), (10), (12), (14) |
| ML20064D050 | 02/22/2020 | Mary and Robert Reader | (1), (2) |
| ML20064D054 | 02/22/2020 | Mary Florin-McBride | (1), (14) |
| ML20064D056 | 02/22/2020 | Michael Massagli | (1) |
| ML20064D058 | 02/22/2020 | Michael Piper | (1) |
| ML20064D061 | 02/22/2020 | Michele Wagner-Nebbia | (1), (3) |
| ML20064D064 | 02/22/2020 | Nancy Gillespie | (1) |
| ML20064D067 | 02/22/2020 | Nathaniel Lange | (1) |
| ML20064D068 | 02/22/2020 | Raphael Kosek | (1) |
| ML20064D069 | 02/22/2020 | Amy Trompetter | (3), (13) |
| ML20064D072 | 02/22/2020 | Stephen Bangert | (1), (11), (14) |
| ML20064D074 | 02/22/2020 | Dale Saltzman | (5), (11), (12) (13) |
| ML20064D077 | 02/22/2020 | Douglas Wehrle | (1), (2), (5), (11), (12) (13), (14) |
| ML20064D079 | 02/22/2020 | Kristin Brown | (1), (4), (7), (9), (10), |
| ML20064D082 | 02/22/2020 | Alan Levin | N/A |
| ML20064D083 | 02/22/2020 | Cate Woodruff | (3), (7) |
| ML20064D085 | 02/22/2020 | Jordan Abbott | (1), (6), (12), (14) |
| ML20064D089 | 02/22/2020 | Katharine Plummer | (1) |
| ML20064D092 | 02/22/2020 | Kathleen Thomas | (3), (5), (7), (9), (11) |
| ML20064D094 | 02/22/2020 | Kevin Kilner | (1), (7), (9), (10), (14) |

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| ML20064D097 | 02/22/2020 | Robert Morrow | (1), (3), (12) |
| ML20064D098 | 02/22/2020 | William Messmer | (15) |
| ML20064D102 | 02/22/2020 | Ann Sarrantonio | (13) |
| ML20064D104 | 02/22/2020 | Bernard Nemes | (1), (4), (10), (14) |
| ML20064D106 | 02/22/2020 | Gary Schoenberger | (1), (4), (6), (9), (10), (14) |
| ML20066H359 | 02/22/2020 | Anonymous | (1) |
| ML20066H361 | 02/22/2020 | Anonymous | (1) |
| ML20066H378 | 02/22/2020 | Misha Fredericks | (1), (4), (6), (9), (10), (14) |
| ML20066H379 | 02/22/2020 | Paola Betchart | (1), (2), (7), (10), (14) |
| ML20055G111 | 02/23/2020 | Sarah Eggleston | (5), (7), (9), (11), (14) |
| ML20055G112 | 02/23/2020 | Anna Markowitz | (1) |
| ML20055G117 | 02/23/2020 | Daniel Lucas | (1), (5), (14) |
| ML20055G118 | 02/23/2020 | Dolores Jones | (2), (7), (10), |
| ML20055G119 | 02/23/2020 | Janelle Peotter | (1), (12) |
| ML20055G122 | 02/23/2020 | Liam Henrie | (1), (14) |
| ML20057F701 | 02/23/2020 | Noah Kimerling | (1), (4), (5), (6), (9), (10), (14) |
| ML20057F707 | 02/23/2020 | Caryl Kottmann | (1), (4), (5) (6), (9), (12), (14) |
| ML20057F710 | 02/23/2020 | Daniel Levy | (1), (4), (5), (6), (9), (10), (12), (14) |
| ML20057F713 | 02/23/2020 | Ervine Kimerling | (1), (4), (5), (6), (10), (14) |
| ML20066H352 | 02/23/2020 | Paula Zimmerman-Taylor | (2), (3) |
| ML20066H353 | 02/23/2020 | Robert Powell | (3) |
| ML20066H356 | 02/23/2020 | Vincent Ferri | (1), (3), (4), (7), (9), (10), (14) |
| ML20066H362 | 02/23/2020 | Anthony Maresco | (1), (7), (9), (10), (14) |
| ML20066H364 | 02/23/2020 | Carol Schrager | (3) |
| ML20066H365 | 02/23/2020 | David Johnson | (15) |
| ML20066H366 | 02/23/2020 | Deborah Dougherty | (1), (3), (12) |
| ML20066H367 | 02/23/2020 | Dennis Phayre | (1) |
| ML20066H368 | 02/23/2020 | Eric Wolf | (3), (12) |
| ML20066H369 | 02/23/2020 | Greg Lubow | (1), (3), (14) |
| ML20066H370 | 02/23/2020 | Jeanne Casatelli | (1), (2) |
| ML20066H374 | 02/23/2020 | Leigh Hill | (3), (4), (12) |
| ML20066H376 | 02/23/2020 | Mark Bierman | (1), (3) |

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| ML20066H377 | 02/23/2020 | Marnie Scheinberg | (1), (3), (4), (6), (7), (10), (12), (14) |
| ML20055G123 | 02/24/2020 | Ling Tsou | (4), (5), (7), (9), (10), |
| ML20057F696 | 02/24/2020 | Laura Seitz | (4), (5), (9), (11) |
| ML20057F702 | 02/24/2020 | Puja Thomson | (1), (4), (6), (10), (14) |
| ML20057F703 | 02/24/2020 | Rita DeMaria | (1) |
| ML20057F704 | 02/24/2020 | Anne Bassen | (4), (5), (7), (11), (12) |
| ML20057F706 | 02/24/2020 | Camala Projansky | (1), (4), (6), (9), (12), (14) |
| ML20066G808 | 02/24/2020 | Sheila Geist | (5), (6), (9), (10), (11), |
| ML20066H354 | 02/24/2020 | Sonia Hairabedian | (1) |
| ML20069F156 | 02/24/2020 | Sean Brennan | (1), (4), (5), (6), (7), (9), (14) |
| ML20069F157 | 02/24/2020 | Jon Fein | (1), (4), (5), (6), (7), (9), (14) |
| ML20069F160 | 02/24/2020 | Anonymous | (1), (2), (13) |
| ML20069F163 | 02/24/2020 | Anthony Nigro | (1), (2), (13) |
| ML20069F165 | 02/24/2020 | Lisa Breznak | (3), (4), (11) |
| ML20069F167 | 02/24/2020 | Laurie Bleich | (1) |
| ML20057F694 | 02/25/2020 | Jay Kosack | (1), (2), (4), (5), (6), (9), (10), (14) |
| ML20057F697 | 02/25/2020 | Margaret Fort | (1), (5) |
| ML20069F169 | 02/25/2020 | Anonymous | (1), (2), (4), (5), (6), (9), (10), (14) |
| ML20069F171 | 02/25/2020 | Anonymous | (1), (3) |
| ML20057F712 | 02/26/2020 | Deborah Tompkins | (1) |
| ML20069F172 | 02/26/2020 | Joel Gingold | (1), (2), (4), (5), (7) (14) |
| ML20069F176 | 02/26/2020 | Sharon Radulov | (1), (4), (7), (10), (14) |
| ML20058H110 | 02/27/2020 | Kathy Flaherty | (1), (2), |
| ML20058H114 | 02/27/2020 | Laurel Becker | (3) |
| ML20069F175 | 02/27/2020 | Richard DeCrosta | (1) |
| ML20069F181 | 02/28/2020 | Patricia Matteson | (1), (3) |
| ML20069F183 | 02/28/2020 | Sarah Underhill | (1), (2), (4), (5), (6), (9), (10), (14) |
| ML20069F185 | 02/28/2020 | Andi Weiss Bartczak | (3) |
| ML20087L849 | 02/28/2020 | Elizabeth Marrapodi | (1), (2) (6), (10), (11), (13), (14) |
| ML20087L851 | 02/28/2020 | Daria Greggs | (1), (2), (6), (10), (11), (13), (14) |
| ML20069F188 | 02/29/2020 | Michael Green | (1), (5), (6), (9), (10) |
| ML20069F190 | 02/29/2020 | Iris Arno | (1), (7), (9) |

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| ML20069F193 | 02/29/2020 | Christine Dakin | (7) |
| ML20069F194 | 02/29/2020 | Kathie Talbot | (1), (7) |
| ML20069F197 | 03/01/2020 | Philip Ratcliff | (1), (4), (6), (9), (12), (14) |
| ML20069F200 | 03/01/2020 | Anna Paritsky | (1), (3), (14) |
| ML20069F202 | 03/02/2020 | David LeVine | (13) |
| ML20069F204 | 03/02/2020 | Susan Schwarz | (4), (13) |
| ML20069F206 | 03/03/2020 | Carl Arnold | (1), (14) |
| ML20069F207 | 03/03/2020 | Wendy Fast | (1), (5), (10), (14) |
| ML20069F210 | 03/03/2020 | Walter Terrell | (13) |
| ML20069F213 | 03/03/2020 | Donna Knipp | (1), (4), (6), (9), (10), (12), (14) |
| ML20069F215 | 03/03/2020 | Anonymous | (1), (14) |
| ML20069F218 | 03/03/2020 | Norman Ross | (7) |
| ML20069F220 | 03/03/2020 | Meredith Priestley | (1), (7), (9), (10), (12), (14) |
| ML20069F121 | 03/04/2020 | Kira Peterson | (1), (5), (6), (9), (10), (12), (14) |
| ML20069F224 | 03/04/2020 | Judith Fletcher | (1), (5), (7), |
| ML20069F227 | 03/04/2020 | Natalie Polvere | (1), (9), (13) |
| ML20069F229 | 03/04/2020 | Holly Malekian | (1) |
| ML20069F123 | 03/05/2020 | Pat Townsend | (1), (7) |
| ML20069F124 | 03/05/2020 | Tracy Feldman | (1), (6), (9),(10), (14) |
| ML20069F128 | 03/05/2020 | Linda Silversmith | (1) |
| ML20069F131 | 03/05/2020 | Mark Grenard | (7) |
| ML20069F134 | 03/05/2020 | Francisco Velez | (1), (3), (7) |
| ML20069F138 | 03/05/2020 | Anonymous | (1), (7) |
| ML20069F139 | 03/05/2020 | Virginia Davis | (1) |
| ML20069F140 | 03/05/2020 | Virginia Davis | (4), (14) |
| ML20069F144 | 03/05/2020 | Don Smith | (13) |
| ML20069F147 | 03/05/2020 | Melissa Frazier | (1), (7) |
| ML20069F148 | 03/05/2020 | Anonymous | (1), (14) |
| ML20069G695 | 03/05/2020 | Susi Cummings | (1), (6), (9), (12), (14) |
| ML20069F129 | 03/06/2020 | Gabrielle Swanberg | (6), (7), (9), (10), (12), (14) |
| ML20069F151 | 03/06/2020 | Elizabeth Butler | (6), (7), (9), (10), (12), (14) |
| ML20069F153 | 03/06/2020 | Patrick Bosold | (1), (4), (6), (9), (10), (14) |

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| ML20069G698 | 03/06/2020 | Paul Correll | (13) |
| ML20073G970 | 03/06/2020 | Janice Rusche | (1), (7), (13) |
| ML20073G971 | 03/06/2020 | John Ewing | (3), (7) |
| ML20086J783 | 03/06/2020 | Eugene Hamond | (1), (4), (6), (8), (9), (10), (12), (14) |
| ML20073H003 | 03/07/2020 | Charlene Woodcock | (4), (7), (10), (12), (14) |
| ML20073G967 | 03/08/2020 | Gian Ascione | (1), (4), (14) |
| ML20073G964 | 03/10/2020 | Diane von Roesgen | (1), (6), (9), (7), (12), (14), |
| ML20073G976 | 03/11/2020 | Kate Mitchell | (1) |
| ML20073G979 | 03/11/2020 | Katherine Becker | (1), (6), (9), (7), (12), (14) |
| ML20073G984 | 03/11/2020 | Marshall Kitchell | (1), (6), (9), (7), (12), (14) |
| ML20073G988 | 03/11/2020 | Abby Newton | (1), (6), (9), (7), (12), (14) |
| ML20073G990 | 03/11/2020 | Adam Scheneider | (1) |
| ML20073G997 | 03/11/2020 | Anonymous | (13) |
| ML20073G966 | 03/12/2020 | Ed Miller | (1), (4), (6), (9), (7), (12), (14) |
| ML20073G986 | 03/12/2020 | Nancy Bernstein | (1), (6), (9), (7), (12), (14) |
| ML20073G995 | 03/12/2020 | Allan Fujita | (1), (6), (9), (7), (12), (14) |
| ML20073H000 | 03/12/2020 | Carol Shore | (3) |
| ML20073H005 | 03/12/2020 | Dassi Citron | (1), (13) |
| ML20073G993 | 03/12/2020 | Alice Slater | (1), (6), (9), (7), (12), (14) |
| ML20073G974 | 03/12/2020 | Julie O'Neill | N/A |
| ML20073G981 | 03/13/2020 | Marjory Donn | (3), (7), (10) |
| ML20084M929 | 03/13/2020 | Skip Short | (1), (6), (9), (7), (12), (14) |
| ML20084M935 | 03/15/2020 | M Kosstrin | (1), (4), (6), (9), (12), (14) |
| ML20084M928 | 03/15/2020 | Alma Rodriguez | (7), (10) |
| ML20084M927 | 03/15/2020 | Jane Wong | (3) |
| ML20084M922 | 03/16/2020 | Philip Ratcliff | (1), (4), (7), (9), (10), (12), (14) |
| ML20084M933 | 03/16/2020 | Barbara Warren | (1), (2), (3), (4), (5), (9), (13), (14) |
| ML20084M924 | 03/17/2020 | Gail Moran | (1), (4), (6), (9), (12), (14) |
| ML20084M923 | 03/19/2020 | Jennifer Horowitz | (7) |
| ML20086N076 | 03/21/2020 | Paula Moats | (1), (7), (9), (14) |
| ML20085H149 | 03/24/2020 | Ellen Weininger | (1), (3), (6), (7), (9), (10), (12), (14) |
| ML20086N077 | 03/24/2020 | Robert DiFrancesco | (1), |

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| ML20086N101 | 03/24/2020 | Holly Malekian | (1) |
| ML20086N108 | 03/24/2020 | Karl Brabenec | (13), (15) |
| ML20085J346 | 03/25/2020 | Beverly Dyckman | (1), (4), (6), (7), (9) (14) |
| ML20085J347 | 03/25/2020 | Laura Seitz | (1), (6), (9), (12), (14) |
| ML20085J348 | 03/25/2020 | Tina Volz-Bongar | (1), (4), (6), (7), (10),(12), (14) |
| ML20085J349 | 03/25/2020 | Bruce Campbell | (1), (3), (4), (5), (6), (7), (9), (14) |
| ML20085J350 | 03/25/2020 | Craig Wilson | N/A |
| ML20085J351 | 03/25/2020 | Eileen Manhood-Jose | (6), (9), (12), (14) |
| ML20086J784 | 03/25/2020 | Judy Allen | (1), (5), (6), (9), (10), (12), (14) |
| ML20086K719 | 03/25/2020 | Michael Lee | (3), (4), (5), (6), (8), (9), (13), (16) |
| ML20086K721 | 03/25/2020 | Victoria Leung | (1), (6), (9), (14) |
| ML20086N062 | 03/25/2020 | Laura Seitz | (1), (2), (3), (12) |
| ML20086N065 | 03/25/2020 | Manna Jo Greene | (1), (14) |
| ML20086N067 | 03/25/2020 | Manna Jo Greene (corrected submission) | (1), (14) |
| ML20086N070 | 03/25/2020 | Nicola Coddington | (1), (7),(10), (14) |
| ML20086N072 | 03/25/2020 | Noel Kropf | (1), (9), (10), (14) |
| ML20086N080 | 03/25/2020 | Sally Jane Gellert | (1),(2),(3),(4),(6),(7),(9),(10),(12),(14) |
| ML20086N083 | 03/25/2020 | Stephen VanderMerwe | (1), (4), (14) |
| ML20086N086 | 03/25/2020 | Al Samuels | (13), (15) |
| ML20086N091 | 03/25/2020 | Amy Allen | (13), (15) |
| ML20086N092 | 03/25/2020 | Anonymous | (1), (14) |
| ML20086N095 | 03/25/2020 | Deborah Milone | (13), (15) |
| ML20086N098 | 03/25/2020 | Eric Eller | (13), (15) |
| ML20086N100 | 03/25/2020 | Gail Payne | (13), (15) |
| ML20086N104 | 03/25/2020 | John Ravitz | (13) |
| ML20086N963 | 03/25/2020 | Kevin Byrne | (3), (8), (13) |
| ML20091J918 | 03/31/2020 | Form Comments from (36) Residents Living in Close Proximity to Indian Point | (1), (2), (5), (11), (14) |
| ML20091J919 | 03/31/2020 | Form Comments from (417) Riverkeeper Constituents | (1), (4), (6), (9), (12), (14) |
| ML20091L448 | 03/31/2020 | Form Comments from (8) Citizens Opposing the Indian Point License Transfer Application | (1), (2), (6), (7), (14) |
| ML20092G718 | 04/01/2020 | Form Comments from (190) Citizens Opposing the Indian Point License Transfer Application | (1), (4), (5), (6), (9), (10), (13), |
| ML20113F021 | 04/12/2020 | Clare Francis | (13) |

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| ML20188A345 | 04/24/2020 | Armand Sabitonie | N/A |
| ML20119A091 | 04/27/2020 | Dale Saltzman | (5), (9), (11), (12) |
| ML20119B075 | 04/28/2020 | Roy Volpe | (2), (11) |
| ML20126G349 | 04/28/2020 | Paul and Dorothy Nierman | (1), (2) |
| Additional Submission of Comments Considered by the NRC staff | | | |
| ML20013E521 | 12/16/2019 | State of New York, New York State Energy Research and Development Agency, New York State Department of Environmental Conservation, Office of Attorney General, Lisa Burianek, Joshua Tallent, Channing Wistar-Jones | (1), (6), (13) |
| ML20091J663 | 03/24/2020 | State of New York, Office of Attorney General, Lisa Burianek, Joshua Tallent, Channing Wistar-Jones | (1), (6), (13), (14) |
| ML20265A201 | 09/21/2020 | Utility Workers Union of America | (1), (3), (4), (8), (9) |
| ML20281A635 | 10/07/2020 | State of New York, Office of Attorney General, Lisa Burianek, Joshua Tallent, Channing Wistar-Jones | (1), (13), (14) |
| ML20304A072 | 10/19/2020 | Mia Azcue | (1), (3), (7), (14), (17) |
| ML20304A074 | 10/19/2020 | Nivo Rovedo | (1), (3), (7), (14), (17) |
| ML20304A075 | 10/19/2020 | Nora Gaines | (1), (3), (7), (14), (17) |
| ML20304A076 | 10/19/2020 | Pamela Brandt | (1), (3), (7), (14), (17) |
| ML20304A077 | 10/19/2020 | Pamela Hudson | (1), (3), (7), (14), (17) |
| ML20304A079 | 10/19/2020 | Steven David | (1), (3), (7), (14), (17) |
| ML20304A083 | 10/19/2020 | Alisa Eilenberg | (1), (3), (7), (14), (17) |
| ML20304A084 | 10/19/2020 | Alix Keast | (1), (3), (7), (14), (17) |
| ML20304A085 | 10/19/2020 | Allan Goldhammer | (1), (3), (7), (14), (17) |
| ML20304A086 | 10/19/2020 | Allison Schubert | (1), (3), (7), (14), (17) |
| ML20304A087 | 10/19/2020 | Andrew Stein | (1), (3), (7), (14), (17) |
| ML20304A088 | 10/19/2020 | Andy Lukas | (1), (3), (7), (14), (17) |
| ML20304A089 | 10/19/2020 | Barbara Lalicki | (1), (3), (7), (14), (17) |
| ML20304A093 | 10/19/2020 | Carol Greenstreet | (1), (3), (7), (14), (17) |
| ML20304A095 | 10/19/2020 | Cary Kittner | (1), (3), (7), (14), (17) |
| ML20304A098 | 10/19/2020 | Deidre Moderacki | (1), (3), (7), (14), (17) |
| ML20304A101 | 10/19/2020 | Elizabeth Lynch | (1), (3), (7), (14), (17) |
| ML20304A102 | 10/19/2020 | Elsa Leviseur | (1), (3), (7), (14), (17) |
| ML20304A103 | 10/19/2020 | Frances Jacobson | (1), (3), (7), (14), (17) |
| ML20304A106 | 10/19/2020 | Hilary Vidalakis | (1), (3), (7), (14), (17) |
| ML20304A107 | 10/19/2020 | J Patricia Connolly | (1), (3), (7), (14), (17) |

| Accession Number | Submission Date | Commenter Name | Comment Topic Reference Number |
|------------------|-----------------|---|--------------------------------|
| ML20304A108 | 10/19/2020 | Jean McAvoy | (1), (3), (7), (14), (17) |
| ML20304A109 | 10/19/2020 | Jean Naples | (1), (3), (7), (14), (17) |
| ML20308A765 | 10/19/2020 | Briana Rose | (1), (3), (7), (14), (17) |
| ML20308A766 | 10/19/2020 | Margaret Teahan | (1), (3), (7), (14), (17) |
| ML20308A767 | 10/19/2020 | Beverly Simone | (1), (3), (7), (14), (17) |
| ML20309A853 | 10/19/2020 | Form Comments from (329) Riverkeeper Constituents | (1), (3), (7), (14), (17) |
| ML20304A073 | 10/20/2020 | Nancy Houghton Brown | (1), (3), (7), (14), (17) |
| ML20304A078 | 10/20/2020 | Stephen Mantor | (1), (3), (7), (14), (17) |
| ML20304A080 | 10/20/2020 | Susan Schwarz | (1), (3), (7), (14), (17) |
| ML20304A081 | 10/20/2020 | Terry Meyers | (1), (3), (7), (14), (17) |
| ML20304A082 | 10/20/2020 | Wendy Alberg | (1), (3), (7), (14), (17) |
| ML20304A090 | 10/20/2020 | Barbara Warren | (1), (3), (7), (14), (17) |
| ML20304A094 | 10/20/2020 | Carol Milano | (1), (3), (7), (14), (17) |
| ML20304A096 | 10/20/2020 | Courtney Nandagiri | (1), (3), (7), (14), (17) |
| ML20304A099 | 10/20/2020 | M. Doretta Cornell | (1), (3), (7), (14), (17) |
| ML20304A104 | 10/20/2020 | Francis Breen | (1), (3), (7), (14), (17) |
| ML20304A105 | 10/20/2020 | Gale Pisha | (1), (3), (7), (14), (17) |
| ML20304A111 | 10/20/2020 | Joan Schildwachter | (1), (3), (7), (14), (17) |
| ML20304A114 | 10/20/2020 | K. Muller | (1), (3), (7), (14), (17) |
| ML20304A115 | 10/20/2020 | Kate D | (1), (3), (7), (14), (17) |
| ML20304A116 | 10/20/2020 | Kevin Cawley | (1), (3), (7), (14), (17) |
| ML20304A071 | 10/21/2020 | Mary Mallonee | (1), (3), (7), (14), (17) |
| ML20304A068 | 10/22/2020 | Louise Golub | (1), (3), (7), (14), (17) |
| ML20304A070 | 10/22/2020 | Marie Inserra | (1), (3), (7), (14), (17) |
| ML20304A067 | 10/23/2020 | Linda Brunner | (1), (3), (7), (14), (17) |
| ML20304A097 | 10/23/2020 | Deborah Brown | (1), (3), (7), (14), (17) |
| ML20304A110 | 10/23/2020 | Jeff Wanshel | (1), (3), (7), (14), (17) |
| ML20304A112 | 10/23/2020 | John Sullivan | (1), (3), (7), (14), (17) |
| ML20304A113 | 10/23/2020 | Jude Jussim | (1), (3), (7), (14), (17) |
| ML20304A100 | 10/25/2020 | Eileen Leonard | (1), (3), (7), (14), (17) |
| ML20304A069 | 10/26/2020 | Margaret Sikora | (1), (3), (7), (14), (17) |
| ML20304A091 | 10/28/2020 | Beverly Harris | (1), (3), (7), (14), (17) |
| ML20303A335 | 10/29/2020 | Herschel Specter | (6), (14) |
| ML20303A337 | 10/29/2020 | Herschel Specter | (6), (14) |

| Accession Number | Submission Date | Commenter Name | Comment Topic Reference Number |
|------------------|-----------------|---|--------------------------------|
| ML20303A338 | 10/29/2020 | Herschel Specter | (6), (14) |
| ML20321A286 | 11/04/2020 | Sandra R. Galef, 95 th Assembly District, State of New York | (11), (13), (14) |
| ML20322A144 | 11/05/2020 | Freya Goldstein | (1), (3), (7), (14), (17) |
| ML20322A145 | 11/05/2020 | Eileen Bartley | (1), (3), (7), (14), (17) |
| ML20316A008 | 11/10/2020 | Alyse Peterson, New York State Energy Research and Development Authority, State of New York | (1), (14) |
| ML20318A379 | 11/12/2020 | Alyse Peterson, New York State Energy Research and Development Authority, State of New York | (14), (17) |
| ML20324A638 | 11/16/2020 | Form Comments from (3) Riverkeeper Constituents | (1), (3), (7), (14), (17) |

- (1) Concerns about the responsibility for any decommissioning funding shortfalls and the financial integrity or technical qualifications and experience of Holtec and its partners and subsidiaries
- (2) Concerns about the business ethics of Holtec and its partners and subsidiaries
- (3) Concerns about site restoration and environmental degradation during site decontamination, demolition, and cleanup, including concerns about the use of the site after decommissioning
- (4) Concerns about continued storage of spent fuel after decommissioning, transportation of spent fuel and radioactive waste, and where spent fuel will go once removed from the site
- (5) Concerns about Holtec dry cask canister design and spent fuel handling operations
- (6) Concerns about the sufficiency of the HDI PSDAR
- (7) Concerns about Holtec's previous legal issues regarding alleged bribery charges and falsification of tax credit applications
- (8) Concerns about reductions in staffing and ensuring that the necessary personnel are hired to ensure continued safety and security at the site, including in the areas of emergency planning
- (9) Concerns about the Algonquin Incremental Market (AIM) natural gas pipeline and supporting hazard analysis
- (10) Concerns referencing charges against SNC-Lavalin for corruption, fraud, and bribery relating to business operations
- (11) Concerns that a public meeting should be held before the NRC staff approves the license transfer
- (12) Concerns about unknown radiation ground contamination
- (13) Concerns about NRC regulatory oversight, responsibilities, and communications regarding the license transfer review process
- (14) Concerns about Holtec's use and management of the IPEC DTFs, its demonstration of financial assurance, and the effects on ratepayers; and Holtec's limited liability corporate structure and decommissioning business model, including the need for transparency of its financial terms for the proposed license transfer
- (15) Concerns about the permanent closure of the IPEC, including global climate change and power production
- (16) Concerns about the proposed license transfer and decommissioning activities during the COVID-19 public health emergency
- (17) Concerns that the Commission should fully adjudicate all pending hearing requests before issuing a determination on the LTA