

Docket, Hearing

From: Riverkeeper <info@Riverkeeper.org> on behalf of Elsa Leviser <info@Riverkeeper.org>
Sent: Monday, October 19, 2020 6:03 PM
To: CMRHanson Resource
Subject: [External_Sender] Fully adjudicate all pending petitions on Docket Nos. 50-3, 50-247 and 50-286

Oct 19, 2020

Christopher Hanson, NRC Commissioner

Dear: Hanson, NRC Commissioner,

The Nuclear Regulatory Commission (the "Commission") must fully adjudicate all pending petitions regarding the proposed transfer of Indian Point Energy Center ("IPEC") prior to making a determination on the license transfer application and related exemption requests, Docket Nos. 50-3, 50-247 and 50-286.

As also discussed in the State of New York's Supplemental Comments (Accession No: ML022811A635), approval of the proposed transfer prior to the Commission's ruling on the pending petitions to intervene--submitted by the State, Riverkeeper, and others--would place the public at risk. It is essential that the concerns raised about Holtec's financial qualifications and character be properly assessed and mitigated if necessary.

Specifically, Riverkeeper had challenged the proposed transfer of Indian Point's licenses to Holtec on the grounds that its past actions show a lack of character, competence, and integrity, as well as the necessary candor, truthfulness and willingness to abide by NRC regulatory requirements. Since then, as detailed in supplemental filings, Riverkeeper has learned that Holtec is currently under criminal investigation in New Jersey, is financially unsound, and has deliberately violated local laws during the decommissioning of Oyster Creek.

Upon information and belief, the current criminal investigation into Holtec is for perjury, i.e. lying on a form to obtain tax credits from New Jersey, and fraud. Riverkeeper has also learned that Holtec is unable to pay back some of its debts due to cancellation of the tax credit due to the fraud as shown in Holtec's brazen suit for damages due to the cancellation of its tax breaks. In addition, a lawsuit filed by Lacey Township makes it plain that Holtec willfully violated local laws and did not stop certain work at Oyster Creek until the municipality obtained an injunction from a court.

The costly process of decommissioning of nuclear power plants can last decades and involve the complex removal and disposal of radioactive materials, presenting a significant risk to the community if not properly executed. The law provides for a number of safeguards to ensure that decommissioning is safely and completely executed including funding from decommissioning trust funds made up in part of rate payer contributions-- which totals over \$2 billion for the three Indian Point reactors. Failure to comply with these laws may lead to significant safety and financial ramifications on the public. Further, corner cutting may impact both the safety and job security of the many IPEC employees both current and future. Giving this huge responsibility to an untrustworthy company would only put the local communities, IPEC employees, and New York State taxpayers at risk, especially in light of Holtec's proven record of cutting corners to maximize its own profits.

Therefore, the Commission must fully adjudicate all pending petitions on Docket Nos. 50-3, 50-247 and 50-286 before issuing a determination on the Indian Point license transfer application. As part of this process, I urge the Commission to examine the proposed license transfers and exception requests, giving heightened scrutiny to financial and character qualifications of Holtec, and requiring financial assurances as needed to protect the public. It would be crazy and irresponsible to transfer responsibility for such a fraught and dangerous process to Holtec given its proven unmitigated track record to date.

Sincerely,

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