

**From:** Trimarchi, Peter <ptrimarchi@nixonpeabody.com>  
**Sent:** Wednesday, June 2, 2021 10:02 AM  
**To:** julie.crocker@noaa.gov; julie.williams@noaa.gov; Beasley, Benjamin; Arlene, Briana; Sanza, Mark D (DEC); wcnieder@gw.dec.state.ny.us; Floyd, Susan Margaret; Andrea Sterdis; r.burroni@holtec.com; mmattson@normandeau.com  
**Subject:** [External\_Sender] Indian Point Energy Center - notice of closing  
**Attachments:** Entergy Indian Point-Holtec -- FINAL Copy of Notice to NMFS re Closing of Transaction (6-2-21) 4819-5907-7100 v.3.docx

Ms. Crocker and Ms. Williams: My name is Peter Trimarchi and I am outside environmental counsel to Entergy. I am attaching a notice advising you that the transaction transferring control of the Indian Point Energy Center to subsidiaries of Holtec International was completed on May 28<sup>th</sup>, 2021.

The new contact information for Holtec personnel is included in the attached notice.

Thank you.

- Pete

**Peter C. Trimarchi**

Partner

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**Subject:** [External\_Sender] Indian Point Energy Center - notice of closing  
**Sent Date:** 6/2/2021 10:02:02 AM  
**Received Date:** 6/2/2021 10:06:35 AM  
**From:** Trimarchi, Peter

**Created By:** ptrimarchi@nixonpeabody.com

**Recipients:**

"julie.crocker@noaa.gov" <julie.crocker@noaa.gov>  
Tracking Status: None  
"julie.williams@noaa.gov" <julie.williams@noaa.gov>  
Tracking Status: None  
"Beasley, Benjamin" <Benjamin.Beasley@nrc.gov>  
Tracking Status: None  
"Arlene, Briana" <briana.arlene@nrc.gov>  
Tracking Status: None  
"Sanza, Mark D (DEC)" <mark.sanza@dec.ny.gov>  
Tracking Status: None  
"wcnieder@gw.dec.state.ny.us" <wcnieder@gw.dec.state.ny.us>  
Tracking Status: None  
"Floyd, Susan Margaret" <sfloyd3@entergy.com>  
Tracking Status: None  
"Andrea Sterdis" <A.Sterdis@holtec.com>  
Tracking Status: None  
"r.burroni@holtec.com" <r.burroni@holtec.com>  
Tracking Status: None  
"mmattson@normandeau.com" <mmattson@normandeau.com>  
Tracking Status: None

**Post Office:** nixonpeabody.com

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	1325	6/2/2021 10:06:35 AM
Entergy Indian Point-Holtec -- FINAL Copy of Notice to NMFS re Closing of Transaction (6-2-21) 4819-5907-7100 v.3.docx	101924	

**Options**

**Priority:** Normal  
**Return Notification:** No  
**Reply Requested:** No  
**Sensitivity:** Normal  
**Expiration Date:**



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June 2, 2021

**VIA E-MAIL and FEDERAL EXPRESS**

Julie Crocker (julie.crocker@noaa.gov)  
ESA Fish Recovery Coordinator  
National Marine Fisheries Service  
Protected Resources Division - Greater Atlantic Regional Fisheries Office  
55 Great Republic Drive  
Gloucester, MA 01930

Julie A. Williams, Esq. (julie.williams@noaa.gov)  
NOAA General Counsel - Northeast Administration  
National Oceanic and Atmospheric Administration  
55 Great Republic Drive  
Gloucester, MA 01930

**RE: January 30, 2013 Biological Opinion and Incidental Take Statement  
in connection with Indian Point operations and license renewal,  
including the associated February 9, 2018 amendment (individually,  
the “Amendment”; collectively, the “BiOp/ITS”)**

Dear Ms. Crocker and Ms. Williams:

This correspondence is submitted on behalf of Entergy Nuclear Indian Point 2, LLC and Entergy Nuclear Indian Point 3, LLC, the respective former owners of Indian Point Nuclear Stations, Unit 2 and Unit 3 (collectively, “Indian Point”), and Entergy Nuclear Operations, Inc. (“ENOI,” and collectively, “Entergy”), the former operator of Indian Point. On a courtesy basis, we hereby advise the Department of Commerce, National Oceanic and Atmospheric Administration and the National Marine Fisheries Service (collectively, “NMFS”) that, on May 28, 2021 (the “Closing”), the specified Entergy and Holtec entities completed a multi-phase, indirect change in control with respect to Indian Point (the “Transaction”). This correspondence outlines that Transaction, with the purpose of advising NMFS that the Holtec entities specified below have assumed responsibility for the BiOp/ITS, effective as of the Closing.

As NMFS is aware, on November 23, 2020, the Nuclear Regulatory Commission (“NRC”) authorized transfer of the Indian Point NRC licenses to various Holtec entities. Specifically, and first, NRC authorized, among other things, transfer of control of the Renewed Facility Operating License Nos. DPR-26 and DPR-64 for Indian Point Nuclear Generating

Station, Units 2 and 3, respectively (collectively, with Unit 1, "IPEC"), to Holtec Indian Point 2, LLC and Holtec Indian Point 3, LLC, respectively. Second, NRC authorized the transfer of ENOI's operating authority (i.e., its authority to conduct NRC licensed activities) to Holtec Decommissioning International, LLC ("HDI"). Third, the NRC's licensing decision also reflected that Holtec Indian Point 2, LLC and Holtec Indian Point 3, LLC would enter into an agreement with HDI to perform decommissioning activities at IPEC following the cessation of electric-generating activities at Unit 3 on April 30, 2021. Thus, the Holtec subsidiaries now own Indian Point, with HDI fulfilling the role at IPEC historically fulfilled by ENOI on behalf of the Entergy ownership entities. No Entergy entity has any residual ownership interest in or any remaining control over Indian Point's operations subject to the BiOp/ITS.

In conjunction with the Transaction-related licensing process, NRC directly addressed Holtec's and HDI's assumption of responsibility for the BiOp/ITS with an NRC license condition, known as an Environmental Technical Specification. Specifically, NRC proposed an Environmental Technical Specification requiring that: "Holtec Decommissioning International, LLC shall adhere to the requirements within the Incidental Take Statement of the currently applicable Biological Opinion. Changes to the Biological Opinion, including the Incidental Take Statement, Reasonable and Prudent Measures, and Terms and Conditions contained therein, must be preceded by consultation between the NRC, as the authorizing agency, and the NMFS." *See also* NRC license decision, pp. 39 and 58 (same).

Consistent with NRC's licensing decision (above) this correspondence memorializes that Holtec and HDI have assumed responsibility for the BiOp/ITS, and all activities conducted thereunder, as directed by NRC. The sole exception is that Entergy and ENOI will complete the submission of any final reports to NMFS related to BiOp/ITS-related sturgeon monitoring performed prior to the Closing. Entergy will copy Holtec and HDI on those submissions, the monitoring for which was completed prior to the Closing.

Except with respect to the final report for sturgeon monitoring through May 10, 2021 (which remains with Entergy as noted above), kindly forward all official, future correspondence related to the BiOp/ITS to:

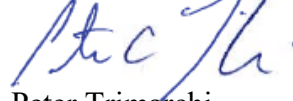
**Andrea L. Sterdis**, Vice President Regulatory and Environmental Affairs, Holtec Decommissioning International, LLC, Krishna P. Singh Campus, 1 Holtec Blvd., Camden, NJ 08104; [A.Sterdis@Holtec.com](mailto:A.Sterdis@Holtec.com); Tel: (856) 797-0900, x 3813; Mobile: (724) 493-1833.

In addition, please forward a copy of all future correspondence to:

**Pamela B. Cowan**, Senior Vice President and Chief Operating Officer, Holtec Decommissioning International, LLC, Krishna P. Singh Campus, 1 Holtec Blvd., Camden, NJ 08104; [P.Cowan@Holtec.com](mailto:P.Cowan@Holtec.com).

We extend our thanks to NMFS for their support in addressing these personnel changes associated with the Transaction and NRC licensing decision. Please do not hesitate to contact me with any questions or concerns that you may have.

Very truly yours,



Peter Trimarchi

PCT/kmp

- cc: Benjamin Beasley ([benjamin.beasley@nrc.gov](mailto:benjamin.beasley@nrc.gov)), Chief, U.S. Nuclear Regulatory Commission (via email only)  
Briana A. Grange ([briana.grange@nrc.gov](mailto:briana.grange@nrc.gov)), Aquatic Biologist, U.S. Nuclear Regulatory Commission (via email only)  
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