

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

CONSTELLATION ENERGY  
GENERATION, LLC.

(Application to Amend Renewed Facility  
License No. DPR-50)

Docket No. 50-289-LA-2

**ORDER**

Mr. Eric Joseph Epstein, on behalf of Three Mile Island Alert, has submitted a request to the NRC, citing the National Environmental Policy Act (NEPA) and the Commission's "inherent supervisory authority to protect the integrity of its licensing and NEPA decisions."<sup>1</sup> The request asks the Commission to "suspend any processing or consideration of a planned license amendment request" by Constellation Energy Generation, LLC (CEG) "to allow receipt of new fuel to support potential restart" of the Christopher M. Crane Clean Energy Center, formerly Three Mile Island, Unit 1.<sup>2</sup> In summary, Mr. Epstein asserts that CEG intends to seek a license amendment that would enable CEG to acquire nuclear fuel in advance of obtaining the NRC's authorization to restart operation of the reactor, and that the Commission should "enjoin" CEG from doing so because it would "comprise an irreversible and irretrievable commitment of resources" that would prejudice the NRC's NEPA review.<sup>3</sup>

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<sup>1</sup> *Eric Joseph Epstein's Request to Bar Receipt of New Fuel to Support Potential Restart of the Facility* (May 27, 2025) (ADAMS accession no. ML25147A024) (Request). This document was submitted using the NRC Electronic Information Exchange system and filed on an adjudicatory docket (50-289-LA-2) that had been previously created for an unrelated hearing request from Mr. Epstein, which was denied on May 8, 2025. Order of the Secretary of the Commission (May 8, 2025) (unpublished) (ML25128A345); Order of the Secretary of the Commission (June 5, 2025) (unpublished) (ML25156A292).

<sup>2</sup> Request at 2.

<sup>3</sup> *Id.* at 2, 4.

Pursuant to my authority under 10 C.F.R. § 2.346(j), I *deny* the request, without prejudice. As Mr. Epstein acknowledges, CEG has not submitted to the NRC the license amendment request to which he objects.<sup>4</sup> Should CEG submit the license amendment request he describes, the NRC would at that time publish notice in the *Federal Register* and provide any person whose interest may be affected by the proceeding with an opportunity to file a written request for hearing or petition for leave to intervene, in accordance with NRC regulations governing such requests. See *generally* 10 C.F.R. § 2.309. For this reason, Mr. Epstein's request is premature and provides no compelling reason for the NRC to deviate from its ordinary processes for public participation in licensing proceedings.

This order is issued pursuant to my authority in 10 C.F.R. § 2.346(j).

IT IS SO ORDERED.

For the Commission



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Carrie M. Safford  
Secretary of the Commission

Dated at Rockville, Maryland,  
this 10<sup>th</sup> day of June 2025.

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<sup>4</sup> While not specifically referenced in the Request, Mr. Epstein appears to be referring to the planned license amendment request that was the subject of a recent NRC public meeting with representatives from CEG. See Notice of Meeting with Constellation Energy Generation, LLC (May 19, 2025) (ML25148A402); Crane Clean Energy Center—Presentation for New Fuel Receipt Pre-submittal Meeting (May 28, 2025) (ML25148A129).

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER OF THE SECRETARY OF THE COMMISSION** have been served upon the following persons by Electronic Information Exchange.

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 10<sup>th</sup> day of June 2025.