HOLTEC
DECOMMISSIONING
INTERNATIONAL

Krishna P. Singh Technology Campus, 1 Holtec Blvd., Camden, NJ 08104
Telephone (856) 797-0900
Fax (856) 797-0909

May 24, 2022

Ken Moraff
Director, Water Division
U.S. Environmental Protection Agency Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Re: Pilgrim Nuclear Power Station – Water Discharge – NPDES Permit No. MA0003557

Dear Mr. Moraff:

This letter is intended to provide further clarification of HDI's "Information Sheet" dated January 27, 2022, and respond to your letter of February 17, 2022, to Holtec Decommissioning International, LLC (HDI).

HDI's "Information Sheet" was intended to inform Stakeholders, Elected Officials, Advocacy Groups, and Community Members that discharges containing radioisotopes within federal limits ensuring environmental protection are not unique to Pilgrim Nuclear Power Station (PNPS) and commonly occur within the nuclear power industry as it does other permitted processes such as municipal wastewater treatment facilities and certain agricultural businesses.

In fact, PNPS since it began operation has discharged liquid radwaste effluents to the environment in a planned and monitored manner via systems and programs designed for that purpose and regulated by the U.S. Nuclear Regulatory Commission (NRC).

The liquid radwaste system discharge pathway is shown as "Radwaste Effluents" in Figure 4 Water Flow Diagram of the National Pollutant Discharge Elimination System (NPDES) Permit No. MA0003557 for PNPS.

The permit recognizes this radwaste system on page five (5) of NPDES facts sheet stating:

> The facility also discharges from two outfalls which are not included in the current NPDES permit: a radwaste system discharge, which is currently sampled for boron, nitrates, and radioactivity and a small miscellaneous stormwater discharge, which only discharges under extreme storm conditions and has not discharged in the last 5 years. The radwaste system discharge shall be in accordance with the U.S. Nuclear Regulatory Commission (USNRC) operational requirements at 10 C.F.R. Part 20 and USNRC technical specifications set forth in the facility's operating license, DPR-35.

In accordance with licensing responsibilities under the National Environmental Policy Act (NEPA), the NRC is responsible for assessing the impact of licensee's discharges into surface waters. In accordance with Section 511 of Federal Water Pollution Control Act (FWPCA), effluent limitations are set by Environment Protection Agency (EPA) and not by NRC under NEPA. However, in accordance with the Second Memorandum of Understanding (MOU) between EPA and NRC, the NRC has the lead in the

conduct of the environmental impact assessment for nuclear power stations and must assess the limits placed on discharges under the FWPCA.

Entergy Nuclear Generation Company, Inc., submitted an Environmental Report (ER) in conjunction with the application to the NRC to renew the operating license for PNPS for twenty years beyond the end of the original license. In compliance with applicable NRC requirements, the ER analyzes potential environmental impacts associated with renewal of the PNPS operating license. This ER is designed to assist the NRC staff with the preparation of the PNPS specific Supplemental Environmental Impact Statement (SEIS) required for license renewal. This review process included review of the environmental impact of the PNPS radioactive liquid waste processing systems and effluent controls.

Under the EPA and NRC second MOU:

> Applications for [NPDES] permit reissuance … will be evaluated by EPA in light of a policy to assure to the maximum extent possible that subsequent considerations regarding impacts on water quality and biota will not result in the need for significant changes in plant design or in the costs and benefits of the operation of the facility subsequent to the completion of NRC's environmental review.

The environmental impact of using the radwaste system to treat and discharge radioactive liquid effluents has already been considered during licensing. Interpreting the current NPDES permit to prohibit HDI from discharging spent fuel pool water that has been treated in the NRC-regulated treatment system unless the processed water contains zero "pollutants" would require significant changes in the plant design and add significant costs to the operation of PNPS not contemplated in the NRC licensing review. HDI asseverates "[t]he discharge of pollutants in spent fuel pool water (including, but not limited to, boron) is not authorized by this permit" to be limited to spent fuel pool water prior to becoming processed water through the NRC-regulated radwaste system outfall. A radwaste discharge complies with the permit as written. The radwaste system is a comingled waste steam regulated by the NRC. Such an interpretation is well within the plain language of the NPDES permit and would be consistent with the MOU and past discharge practices.

HDI asserts that the three water disposition methods mentioned in our Information Sheet are available options for removing processed and filtered water from the site.

Sincerely,

Digitally signed by Kelly Trice
DN: cn=Kelly Trice, c=US, o=Holtec Decommissioning International, ou=HDI, email=k.trice@holtec.com
Date: 2022.05.24 06:42:53 -04'00'

Kelly Trice
President
Holtec Decommissioning International, LLC