



THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE ATTORNEY GENERAL

OFFICE OF THE GOVERNOR

MASSACHUSETTS CONGRESSIONAL DELEGATION

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January 4, 2017

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VIA FIRST CLASS MAIL

The Honorable Stephen G. Burns

Chairman

U.S. Nuclear Regulatory Commission

Mail Stop O-16G4

Washington, DC 20555-0001

Re: Pilgrim Nuclear Power Station

Dear Chairman Burns:

We write to request that the U.S. Nuclear Regulatory Commission (“NRC”) convene a public meeting in Massachusetts as soon as possible to answer the public’s questions about the safety of the Pilgrim Nuclear Power Plant (“Pilgrim”). The views expressed by the leader of the NRC Pilgrim special inspection team in a December 6, 2016 e-mail have raised legitimate concerns among the public about their safety and raised serious questions about Entergy’s ability to continue to operate the plant safely. While the NRC undoubtedly regrets the inadvertent disclosure of the preliminary thoughts expressed in the December 6 e-mail, the disclosure happened, and the NRC now has the obligation to address questions raised by that e-mail to help assuage growing public safety concerns. A public meeting also will allow the NRC to outline for the public the steps the NRC may take in light of the special inspection team’s findings to date, the steps that remain in the NRC’s inspection process, and when the official results of the inspection will be released to the public.

As you know, the NRC is currently conducting a three-phased supplemental inspection process at Pilgrim. This process was triggered when the NRC determined that recurring safety issues at the aging plant required the NRC to place the plant into the Repetitive Degraded Cornerstone Column, or Column 4, which is the least safe category in which an operating reactor can be placed. At the time, NRC Region I’s Administrator remarked that the determination “highlights the continuing weaknesses in the implementation of Entergy’s program for identifying, evaluating and resolving problems at Pilgrim.”¹

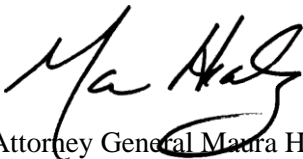
¹ Press Release, Region I NRC, NRC to Increase Oversight at Pilgrim Nuclear Power Plant Based on New Inspection Finding (Sept. 2, 2015).

Recently, an Entergy spokesperson stated that the inspection “is the next step in Pilgrim’s process toward a return to industry excellence.”² While the spokesperson further claimed that Entergy has “worked hard to address the issues that led to station performance decline,”³ the Company is quite clearly not working hard enough. In fact, Entergy was forced to shut the plant down again on December 15, 2016, when it discovered leaks in three of the eight main steam isolation valves, which are used to prevent radioactivity from leaking into the environment during a nuclear accident.⁴ These events, of course, do not signify “a return to industry excellence.” A public meeting also would allow the NRC to inform members of the community about how these leaks were discovered, the process and timeline associated with their repair, and how the public can be assured that they will not recur.

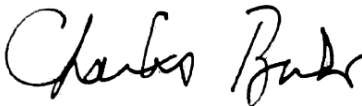
At the same time that the plant continues to experience safety-related problems, Entergy has asked the NRC to effectively exempt the company from Commission requirements to make plant modifications based on lessons learned from the March 2011 Fukushima Dai-ichi accident.^{5,6} While Entergy has proposed alternative approaches for meeting some of the requirements, in light of the concerns raised in the December 6, 2016 e-mail and the on-going operational issues at Pilgrim, the NRC should not exempt Entergy from any safety-related requirements.

We understand that the NRC does not typically conduct public hearings during a pending inspection and do not ask that the NRC compromise its investigation by disclosing any confidential or privileged information. However, we respectfully submit that the unique circumstances arising from the public disclosure of the December 6 e-mail and the most recent plant shut down warrant an exception from the NRC’s usual practice.


Sincerely,



Attorney General Maura Healey



Governor Charlie Baker



U.S. Senator Edward Markey


² Travis Anderson, *Pilgrim nuclear plant staff said to be ‘overwhelmed,’* Boston Globe, Dec. 8, 2016, <https://www.bostonglobe.com/metro/2016/12/07/internal-nrc-memo-outlines-concerns-pilgrim-nuclear-plant/GFRYcbdBRgwo4PulROZBYN/story.html>.

³ *Id.*

⁴ Christine Legere, *Pilgrim remains shut down*, Cape Cod Times, Dec. 17, 2016, <http://www.capecodtimes.com/news/20161217/pilgrim-remains-shut-down>.

⁵ Ltr. from John A. Dent, Jr., Entergy, to NRC, re Request for Extension to Comply with NRC Order 13-109, Order to Modify Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions (June 24, 2016) (ADAMS Accession No. ML16187A325).


⁶ *All Operating Boiling Water Reactor Licensees with Mark I and Mark II Containments*, Order Modifying Licenses with Regard to Reliable Hardened Containment Vents. EA-13-109 (Effective Immediately) (June 6, 2013).



U.S. Senator Elizabeth Warren



U.S. Representative Richard Neal
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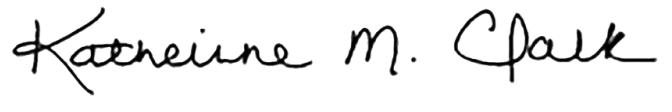
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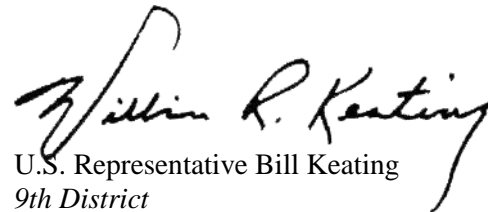
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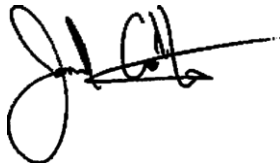
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Cc: Commissioner Kristine L. Svinicki
Commissioner Jeff Baran