

Congress of the United States
Washington, DC 20515

November 2, 2022

Kelly Trice
President
Holtec Decommissioning International
1 Holtec Boulevard
Camden, NJ 08104

Dear Mr. Trice,

We write to urge Holtec Decommissioning International (Holtec) to commit publicly that it will not discharge any wastewater from the Pilgrim Nuclear Power Station in violation of Holtec's Environmental Protection Agency (EPA) permit that regulates such activity. Any wastewater discharge from Pilgrim would first require a modification of Holtec's permit. This matter is extremely important to the Cape Cod region, and we urge Holtec to act responsibly.

Holtec holds National Pollutant Discharge Elimination System (NPDES) Permit No. MA0003557, issued by the EPA. Under the permit's terms, Holtec must obtain authorization from the EPA to discharge wastewater originating from the Pilgrim Nuclear Power Station's spent fuel pool or other activities associated with decommissioning.¹ Any discharge of this wastewater without EPA authorization and a modification of the NPDES permit would violate its terms and subject to Holtec to civil and criminal penalties.

We are concerned that Holtec has not yet publicly responded to EPA's June 17, 2022 letter,² which sought to correct Holtec's "new alternative interpretation" — that is, its misinterpretation — of the permit, an interpretation that that would purportedly allow for a wastewater discharge without a permit modification. To provide clarity to our offices, local residents, and the many businesses and organizations that rely on Cape Cod Bay's reputation for clean and safe water, we ask that Holtec confirm publicly as soon as possible that it will not discharge any Pilgrim wastewater without first obtaining the EPA's authorization and the necessary permit modification.

¹ Authorization to Discharge Under the National Pollutant Discharge Elimination System, NPDES Permit No. MA0003557, 2020 Final Permit, Part I.B (Jan. 30, 2020), <https://www3.epa.gov/region1/npdes/permits/2020/finalma0003557permit.pdf> ("Part I.B of the Final Permit, formerly Part I.E., has been revised to specifically note that the permit does not authorize discharges of pollutants in the spent fuel pool water, stormwater associated with construction activity, or other specific discharges that may be associated with activities performed during decommissioning (e.g., pipeline and tank dewatering).").

² Letter from Ken Moraff, Director, Water Division Director, EPA Region 1, to Kelly Trice, President, Holtec Decommissioning Int'l (Jun. 17, 2022), <https://apcc.org/wp-content/uploads/2022/07/june-17-2022-epa-letter-to-holtec-decommissioning-international.pdf>.

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If you have any questions about this request, please contact Paige Rodrigues in Senator Markey's office at (202) 224-2742, Bruno Freitas in Senator Warren's office at (202) 224-4543, or Andrew Nelson in Representative Keating's office at (202) 225-3111.

Sincerely,



Edward J. Markey
United States Senator



Elizabeth Warren
United States Senator



William R. Keating
Member of Congress