



CHAIRMAN

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 25, 2021

The Honorable Charles E. Schumer
United States Senate
Washington, DC 20510

Dear Senator Schumer:

I want to thank you for your February 22, 2021, letter expressing concerns related to the Commission's recent decision to deny hearing requests in the Indian Point Energy Center license transfer proceeding. I recognize your disappointment with the decision but want to assure you that we share the same objective of ensuring there is adequate funding for the site to be fully cleaned up for future reuse and that the agency's focus is on the licensee's compliance with all our rules and regulations.

The Commission's decision was reached in accordance with its established process for deciding adjudicatory matters. By law, NRC adjudicatory functions are reserved to the whole Commission acting as a collegial body. The NRC Chairman does not have the authority to unilaterally modify an agency adjudicatory ruling reached by the entire Commission. Given that this Commission decision has been challenged in the court of appeals and is thus the subject of ongoing litigation, it would be inappropriate to discuss the decision further at this time.

As a general matter, the NRC staff's independent evaluation of a license transfer application includes a thorough review of the financial and technical qualifications of the proposed new licensee. Further, after a license transfer occurs, the new licensee remains subject to continuous NRC regulatory oversight throughout decommissioning until the radiological cleanup is completed and the license is terminated. The agency also conducts annual reviews of a licensee's updated estimate of decommissioning costs and the funds available to complete decommissioning. Moreover, NRC regulations require the licensee to include additional financial assurance to cover any shortfalls.

Again, I want you to know that I appreciate hearing your candid views, and I look forward to working with you, the State of New York, and local community to ensure the decommissioning is performed safely and in a manner that protects the workers, members of the public, and the environment.

If you have additional questions or concerns, please contact me or have your staff contact Eugene Dacus, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher T. Hanson".

Christopher T. Hanson

Identical letter sent to:

The Honorable Charles E. Schumer
United States Senate
Washington, DC 20510

The Honorable Kirsten Gillibrand
United States Senate
Washington, DC 20510

The Honorable Jamaal Bowman
United States House of Representatives
Washington, DC 20515

The Honorable Mondaire Jones
United States House of Representatives
Washington, DC 20515

The Honorable Sean Patrick Maloney
United States House of Representatives
Washington, DC 20515