



CHAIR

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

August 1, 2023

The Honorable Marcy Kaptur  
United States House of Representatives  
Washington, DC 20515

Dear Representative Kaptur:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated June 21, 2023, regarding the license transfer application for the Davis-Besse Nuclear Power Station (Davis-Besse). I appreciate and share your interest in ensuring that the NRC has a safe, effective, and efficient review of the license transfer application.

As required by its regulations and authorizing statutes, the NRC may only approve a license transfer application related to Davis-Besse if the application demonstrates that the proposed transferee is qualified to be the holder of the license and that the transfer of the license is otherwise consistent with applicable provisions of law, regulations, and orders issued by the NRC. In accordance with the NRC's regulations, the application must discuss the proposed transferee's identity and technical and financial qualifications to demonstrate that the proposed transferee is qualified to hold the license. The NRC's review evaluates whether the proposed transferee either possesses, or has reasonable assurance of obtaining, the funds necessary to cover estimated operational costs for the remaining period of the license and estimated decommissioning costs, as well as whether the proposed transferee satisfies the NRC's nuclear insurance and indemnity requirements. The NRC also evaluates the transferee's proposed information concerning facility operation. In addition, the NRC evaluates the managerial and administrative controls that will be used by the transferee to ensure safe operation, and whether the proposed corporate management is involved with, informed of, and dedicated to the safe operation, maintenance, and decommissioning of the facility. Finally, the NRC determines whether the proposed transferee is owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government and is thus ineligible to hold the license.

The NRC provided an opportunity to any person whose interest may be affected by this action to file a request for a hearing and petition to intervene, and provided the public an opportunity to comment on the Davis-Besse license transfer application by June 21, 2023. The NRC will document its determination of the financial and technical qualifications of the proposed transferee in a safety evaluation that will be issued with its decision on the application. The safety evaluation will provide details on how the NRC determined whether the proposed transferee did (or did not) meet the requirements summarized above.

Thank you for your letter. I appreciated the opportunity we had to visit Davis-Besse together and to discuss the NRC's robust license transfer review process. If you have any questions or need additional information, 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". The signature is fluid and cursive, with a large initial "C" and a distinct "H" at the end.

Christopher T. Hanson