

## **FINAL IWG update for 5/20/24 NDCAP**

### **1. Water discharge/evaporation**

- MassDEP has reviewed Holtec's April 22, 2024, response to MassDEP's letter dated April 1, 2024, which directed Holtec to revise its previous submittal, dated March 6, 2024, regarding applicability of MassDEP's air permit regulations at 310 CMR 7.02 to decommissioning wastewater evaporation. To be conservative, Holtec did its calculations assuming that all 895,850 gallons of the wastewater could be evaporated in a discrete 12-month period.
- Based on Holtec's analysis, the Potential to Emit pollutants regulated by MassDEP is 26.94 pounds per year, which is well below MassDEP's Air Quality permitting threshold of 1.0 ton (2,000 pounds) per year. Based on MassDEP's initial review of Holtec's submittal it appears that the calculations were done correctly. The Holtec submittal is now going through internal MassDEP review. This is the normal process for a determination of this type.
- These calculations do not include radionuclides, which are regulated by the NRC. For 2023, radioactive particulate and tritium air releases from Pilgrim Station were well below NRC standards as published in the Pilgrim Nuclear Power Station 2023 Annual Radiological Environment Operating Report submitted to the NRC.
- As previously stated at the March NDCAP, Holtec has agreed to conduct additional wastewater sampling to identify pollutants present in the decommissioning wastewater currently. Holtec will also collect samples of "hard to detect" radionuclides in this sampling event. Sampling is currently scheduled for June 4, 2024.

### **2. Surface Water Discharge Permit Modification**

- MassDEP is still in the process of reviewing documents in preparation for issuing a final determination on Holtec's application for a permit modification to discharge decommissioning wastewater into Cape Cod Bay.
- MassDEP is aware of, and is reviewing, correspondence and revised permit application submitted by Holtec to the U.S. EPA and MassDEP. Holtec's correspondence and revised permit application state that Holtec has determined that Outfall #015 is not a "new source" as defined by 33 U.S.C. § 1316 and EPA's U.S. Clean Water Act regulations. The documents related to this request have been uploaded to the Department's web page for Pilgrim.
- The next step is for MassDEP to issue a final determination. There is no prescribed time period for issuance. MassDEP's final determination could be subject to appeal to MassDEP and then the courts.

### **3. Site assessment work plan/MCP**

- MassDEP and DPH, in consultation with the Attorney General's Office, have reviewed the further responses provided by Holtec on the state's comments to Holtec's site assessment work plan. Based on this review, it is our understanding that the AGO will be sending a letter of approval shortly.
- Response actions under the Massachusetts Contingency Plan (MCP, or M.G.L. c. 21E) are ongoing. The Phase II Comprehensive Site Assessment (which documents the nature and extent of contamination and contains a risk characterization) is due to be submitted by April 21, 2025.

### **4. Other cleanup issues**

- DEP's asbestos section continues to be actively engaged in overseeing the demolition activity occurring at the site, and is meeting regularly with the company to manage the asbestos discovery/identification and abatement/removal processes.
- MassDEP is continuing to evaluate Holtec's request to change to its wastewater disposal system to a Title 5 system. MassDEP intends to extend the existing groundwater discharge permit while discussions are occurring. If the change to Title 5 is approved, which is likely, the groundwater discharge permit will be terminated. This only relates to the sewage disposal on site, not to any industrial discharge of wastewater.

### **5. Public safety (MEMA)**

- MEMA continues to work with local partners on public safety planning, and will schedule additional trainings as appropriate.

### **6. Open Meeting Law Complaint**

- State members support action to address the open meeting law complaint.
- Also note that the AGO's Division of Open Government holds regular trainings on open meeting law compliance, and requires that each member of a public body sign a certification attesting to the member's understanding of open meeting law obligations. The AGO links are available on its website:
  - <https://www.mass.gov/info-details/open-meeting-law-trainings>
  - <https://www.mass.gov/info-details/complete-public-body-member-certification>