

**UNITED STATES OF AMERICA**  
**NUCLEAR REGULATORY COMMISSION**  
**BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

**In the Matter of**

**Docket No. 50-293 & 72-1044 LT**

**Entergy Corporation**

**Pilgrim Nuclear Power Station**

**License Transfer Agreement Application**

**PILGRIM WATCH MOTION TO SUPPLEMENT ITS MOTION TO INTERVENE AND  
REQUEST FOR HEARING – BIODIVERSITY (05.09.19)**

Pilgrim Watch requests further to supplement its Motion to Intervene and Request for Hearing filed February 20, 2019, its Reply to Petitioners filed April 1, 2019, and its Motion to Supplement filed May 3, 2019 with new and significant information regarding biodiversity, under 10 C.F.R. § 2.323.

Specifically, Pilgrim Watch asks to supplement the record by adding (1) the “Summary for policymakers of the global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services,” [https://www.ipbes.net/sites/default/files/downloads/spm\\_unedited\\_advance\\_for\\_posting\\_htn.pdf](https://www.ipbes.net/sites/default/files/downloads/spm_unedited_advance_for_posting_htn.pdf), issued by the United Nations’ Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) on May 6, 2019, and (2) a United Nations statement, <https://www.un.org/sustainabledevelopment/blog/2019/05/nature-decline-unprecedented-report/>,

issued on the same day. The report summary was approved at the 7<sup>th</sup> session of the IPBES Plenary meeting 29 April-4 May) in Paris.

On May 6, 2019, the New York Times described the report:<sup>1</sup>

Humans are transforming Earth’s natural landscapes so dramatically that as many as one million plant and animal species are now at risk of extinction, posing a dire threat to ecosystems that people all over the world depend on for their survival. The 1,500-page report, compiled by hundreds of international experts and based on thousands of scientific studies, is the most exhaustive look yet at the decline in biodiversity across the globe and the dangers that creates for human civilization. A [summary of its findings](#), which was approved by representatives from the United States and 131 other countries, was released Monday in Paris. The full report is set to be published this year. Unless nations step up their efforts to protect what natural habitats are left, they could witness the disappearance of 40 percent of amphibian species, one-third of marine mammals...

The Summary and United Nations Statement are relevant to Pilgrim Watch’s contentions set forth in its Motion to Intervene.

They are particularly relevant to some of Pilgrim Watch’s bases for contention 2, e.g., that the potential environmental impacts of decommissioning are not bounded by previous environmental impact statements” (Motion to Intervene, p. 91) and that new and significant information not considered in those previous statements “required Entergy and Holtec to submit a ‘Supplement to Applicant’s Environmental Report’ with their license transfer application (10 C.F.R. §51.53(d)).” (Pilgrim Watch Reply to Applicants’ Answer Opposing Pilgrim Watch Petition for Leave to Intervene and Hearing Request, p. 32.)

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<sup>1</sup> New York Times, Humans are Speeding Extinction and Altering the Natural World at an ‘Unprecedented’ Pace, Brad Plumer, May 6, 2019 (<https://www.nytimes.com/2019/05/06/climate/biodiversity-extinction-united-nations.html>)

The new information in the Summary and Statement provide evidence that Holtec's and Entergy's assertions that "the proposed direct transfer has no environmental impact" (LTA, p. 20) and that the "environmental impacts associated with planned PNPS site specific decommissioning are ... are bounded by the previously issue environmental impact statements" (Holtec PSDAR, p 20, see also pp 3, 21-25, 29, 31-38) are incorrect. See, e.g. "By the numbers-Statistics and Facts from the Report" section of the UN Report.

It seems abundantly clear that NRC and other federal and state authorities must reassess the environmental impacts in the IPBES report. The UN reports are new and provides significant information showing that neither the GEIS, SEIS nor the Fact Sheet included in the 2016 draft NPDES permit for PNPS bounded the environmental impacts that Holtec and Entergy relied upon in its LTA and PSDARs.

The IPBES report also ties directly to Pilgrim Watch's Contention 1, insufficiency of funds. The report is likely to lead to the conclusion that assurance that fewer pollutants are left on the site likely would will result in the expenditure of more funds and that these additional needed funds should be part of the cost estimate. PW's Motion to Intervene showed, at 20, that Holtec's assumption that only 0.03% of the DTF will remain after decommissioning means the DTF will not be sufficient if any of Holtec's cost estimate assumptions are too low, or if Holtec Pilgrim and HDI incur any of the multitudinous additional costs that are not considered in the PSDAR or DCE.

The new information is material to the outcome of this proceeding. The new information impacts whether the license transfer application should be granted or denied. *In the Matter of Dominion Nuclear Connecticut, Inc.* (Millstone Nuclear Power Station, Units 2 and 3) Docket Nos. 50-336-LR, 50-423-LR ASLBP No. 04-824-01-LR July 28, 2004, p. 7. Bases and fact support the motion.

This Motion is timely. The new information became available on May 4, 2019 in Paris and May 5 in the U.S. press, this Motion is being filed on May 10, 2019, only four to five days later.

Pilgrim Watch conferred with the Applicants on May 9, 2019. Counsel for the Applicants indicated that they oppose this Motion. Pilgrim Watch also conferred with the Commonwealth. The Commonwealth replied that it does not intend to oppose the motion.

For the above reasons, Pilgrim Watch requests that the Commission grant this Motion and consider this new information in connection with its consideration of the Pilgrim Watch's pending Petition and Reply filed in order to best protect the public health, safety and financial interests of the Commonwealth.

Date: May 9, 2019

Signed (electronically) by

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**CERTIFICATION OF SERVICE**

Pursuant to 10 C.F.R. § 2.305, I certify that copies of Pilgrim Watch's Motion to Supplement Its Motion to Intervene and Request for Hearing has been served upon the Electronic Information Exchange, the NRC's e-filing system, in the above-captioned proceeding, on May 9, 2019.

Date: May 9, 2019

Signed (electronically) by

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