



SECRETARY

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

January 15, 2021

IN RESPONSE, PLEASE
REFER TO: M210115

MEMORANDUM FOR: Jody C. Martin, Director
Office of Commission Appellate Adjudication

FROM: Annette L. Vietti-Cook, Secretary

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION,
10:00 A.M., FRIDAY, JANUARY 15, 2021, COMMISSIONERS'
CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC VIA
TELECONFERENCE)

I. SECY-20-0069/69A – ENTERGY NUCLEAR OPERATIONS, INC. (INDIAN POINT
NUCLEAR GENERATING STATION UNITS 1, 2, AND 3 AND ISFSI), MEMORANDUM
AND ORDER RULING ON PETITIONS TO INTERVENE

The Commission,¹ with Commissioners Baran and Hanson each dissenting in part, approved a Memorandum and Order responding to three separate petitions for leave to intervene and requests for a hearing on the proposed license transfer from the State of New York; the Town of Cortlandt, Village of Buchanan, and Hendrick Hudson School District (together, Local Petitioners); and Riverkeeper, Inc. It also considers a letter from Safe Energy Rights Group, Inc. that requests a hearing, and a motion by New York to amend its petition based on circumstances related to the COVID-19 public health emergency. In addition, it considers two motions by Riverkeeper, one to supplement the basis for its contention, and the other seeking a waiver of our regulations to require a Commission decision on Riverkeeper's hearing request prior to the Staff's decision on the license transfer application. The Memorandum and Order denies the requests for hearing and petitions to intervene, as well as subsequent motions filed by New York and Riverkeeper, and terminates this proceeding.

(Subsequently, on January 15, 2021, the Secretary signed the Memorandum and Order.)

¹ Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a majority vote of the members present. Chairman Svinicki and Commissioner Caputo were present in the Conference Room. Commissioners Baran, Wright, and Hanson participated in the meeting via teleconference.

II. SECY- 20-0077 - FIRSTENERGY COMPANIES AND TMI-2 SOLUTIONS, LLC (THREE MILE ISLAND NUCLEAR STATION, UNIT 2), PETITION TO INTERVENE IN LICENSE TRANSFER PROCEEDING

The Commission¹ approved a Memorandum and Order responding to a petition to intervene and a request for a hearing filed jointly by Eric Epstein and Three Mile Island Alert, Inc. in this proceeding, which concerns a request to transfer the possession-only license for Three Mile Island, Unit 2. The Memorandum and Order denies the hearing request and terminates the proceeding.

(Subsequently, on January 15, 2021, the Secretary signed the Memorandum and Order.)

III. SECY-20-0114 – IN THE MATTER OF JOSEPH SHEA (ORDER PROHIBITING INVOLVEMENT IN NRC-LICENSED ACTIVITIES IMMEDIATELY EFFECTIVE), REVIEW OF LBP-20-11

The Commission¹ approved a Memorandum and Order addressing the Atomic Safety and Licensing Board's decision to set aside the immediate effectiveness of the NRC Staff's enforcement order in this case. The Memorandum and Order affirms the Board's decision.

(Subsequently, on January 15, 2021, the Secretary signed the Memorandum and Order.)

cc: Chairman Svinicki
Commissioner Baran
Commissioner Caputo
Commissioner Wright
Commissioner Hanson
EDO
OGC
CFO
OCAA
OCA
OIG
OPA
ODs, RAs, ACRS, ASLBP (via E-Mail)
PDR