



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**Region 1 – New England**  
**5 Post Office Square, Suite 100**  
**Boston, MA 02109-3912**

**VIA ELECTRONIC FILING**

June 29, 2020

Eurika Durr  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
U.S. EPA East Building, Room 3334  
Washington, DC 20004

RE: In re Holtec Decommissioning International, LLC  
NPDES Permit No. MA0003557; NPDES Appeal No. 20-03

Dear Ms. Durr:

Please find the attached Second Joint Status Report and accompanying Certificate of Service, in connection with NPDES Appeal No. 20-03.

Thank you for your assistance with this matter.

Sincerely,

/s/ Michael Curley  
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US EPA – Region 1  
Office of Regional Counsel  
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**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

_____	)	
In the Matter of:	)	
	)	
Holtec Decommissioning International, LLC	)	NPDES Appeal No. 20-03
	)	
NPDES Permit No. MA0003557	)	
_____	)	

**SECOND JOINT STATUS REPORT**

On January 30, 2020, Region 1 of the United States Environmental Protection Agency (“Region”) issued National Pollutant Discharge Elimination System Permit No. MA0003557 (“NPDES Permit”) to Holtec Decommissioning International, LLC (“HDI”), for the Pilgrim Nuclear Power Station in Plymouth, Massachusetts, authorizing the intake of service water from, and the discharge of certain wastewaters and stormwaters to, Cape Cod Bay. On March 6, 2020, Holtec and Entergy filed a Petition for Review (“Petition”) with the Environmental Appeals Board (“EAB” or “Board”) of several conditions of the NPDES Permit.

On March 26, 2020, the parties filed a joint motion requesting that the EAB stay proceedings in the case to allow the parties to enter into settlement discussions for the purposes of reaching a resolution on some or all of the issues presented in the Petition. The Board granted the motion, staying the proceedings until July 24, 2020, and ordering the parties to file a joint status report at least every 45 days. *See Order Granting Joint Motion to Stay Proceedings (Mar. 31, 2020)*. The parties filed the first status report on

May 15, 2020, and hereby file the second status report apprising the Board of the progress of settlement discussions.

The parties have continued to diligently pursue negotiations to explore settlement of the appeal, including five main negotiation sessions conducted via video-conference and several ancillary telephone and email discussions among counsel. Representatives from the Massachusetts Department of Environmental Protection have also participated. Although more work remains to be done, the parties have made substantial progress to date and remain optimistic that a negotiated resolution to the issues raised in the appeal is possible. The parties submit, therefore, that it is appropriate to continue the stay at this time. While the parties do not currently seek an extension of the stay, the parties will keep the Board apprised of the continued progress of settlement discussions and may request an extension, should it prove necessary, given the number and complexity of issues raised in the appeal.

Dated: June 29, 2020

Respectfully submitted,

U.S. EPA – Region 1

/s/ Michael Curley  
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Holtec Decommissioning International, LLC  
Holtec Pilgrim, LLC

/s/ Michael Curley for Jed Nosal

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Entergy Nuclear Operations, Inc.

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## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Second Joint Status Report in the Matter of Holtec Decommissioning International, LLC, NPDES Appeal No. 20-03, were served on the following persons in the manner indicated:

By Electronic Filing:

Eurika Durr  
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Dated: June 29, 2020

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