

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In the Matter of:)

Holtec Decommissioning International, LLC)

NPDES Permit No. MA0003557)
_____)

NPDES Appeal No. 20-03

**HOLTEC DECOMMISSIONING INTERNATIONAL, LLC AND HOLTEC
PILGRIM, LLC’S ASSENTED-TO REQUEST FOR DISMISSAL OF PETITION**

Pursuant to 40 C.F.R. § 124.19(k), Holtec Decommissioning International, LLC and Holtec Pilgrim, LLC (collectively, “Holtec”) hereby requests that the Environmental Appeals Board (“Board”) dismiss its petition for review of its issued National Pollutant Discharge Elimination System Permit No. MA0003557 (“NPDES Permit”). The Environmental Protection Agency (“EPA”) has assented to Holtec’s request.

On January 30, 2020, Region 1 of the United States Environmental Protection Agency (“Region”) issued NPDES Permit MA0003557 (“NPDES Permit”) to Holtec, 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 Nuclear Operations, Inc. (“Entergy” and together with Holtec, “Petitioners”) filed a Petition for Review (“Petition”) with the Environmental Appeals Board (“EAB” or “Board”) of several conditions of the NPDES Permit. This matter has been stayed by the Board for the purposes of reaching a

resolution on some or all of the issues presented in the Petition. *See* Order Granting Joint Motion to Stay Proceedings (Mar. 31, 2020).

Since filing its petition for review, as reported in multiple Status Reports to the Board, Holtec and EPA have engaged in months-long, productive settlement discussions. As a result of these discussions, the parties have reached a settlement that includes a minor modification letter and executed Administrative Order on Consent.

Accordingly, with the assent of EPA, Holtec hereby requests that the Board dismiss its petition pursuant to 40 C.F.R. § 124.19(k).

Dated: November 23, 2020

Respectfully submitted,

Holtec Decommissioning International, LLC
Holtec Pilgrim, LLC

/s/ Jed Nosal

Jed Nosal, Esq.

Gregory S Sampson, Esq.

Brown Rudnick, LLP

One Financial Center

Boston, MA 02111

Tel: (617) 856-8272

JNosal@brownrudnick.com

GSampson@brownrudnick.com

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Assented to Request for Dismissal of Petition 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

Clerk of the Board

U.S. EPA Environmental Appeals Board

1200 Pennsylvania Avenue, NW (Mail Code 1103M)

Washington, DC 20460-0001

By email, by agreement of the parties:

Michael Curley

U.S. EPA, Region 1

Office of Regional Counsel

5 Post Office Square – Suite 100

curley.michael@epa.gov

Dated: November 23, 2020

/s/ Jed Nosal

Jed Nosal, Esq.

Brown Rudnick, LLP

One Financial Center

Boston, MA 02111

Tel: (617) 856-8272

JNosal@brownrudnick.com