



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

September 27, 2023

LICENSEE: HOLTEC DECOMMISSIONING INTERNATIONAL, LLC

FACILITIES: PALISADES NUCLEAR PLANT

SUBJECT: SUMMARY OF AUGUST 29, 2023, MEETING WITH HOLTEC DECOMMISSIONING INTERNATIONAL, LLC REGARDING PLAN TO SUBMIT AN EXEMPTION REQUEST AS PART OF A REGULATORY PATH FOR POTENTIALLY REQUESTING REAUTHORIZATION OF POWER OPERATIONS AT PALISADES NUCLEAR PLANT

On August 29, 2023, an Observation meeting was held between the U.S. Nuclear Regulatory Commission (NRC) and representatives of Holtec Decommissioning International, LLC (the licensee) at 11555 Rockville Pike, Rockville, MD. The purpose of the meeting was for the licensee to discuss with the NRC staff their plans to submit a request for exemption from the requirements of Title 10 of the *Code of Federal Regulations* Section 50.82(a)(2) as part of their regulatory path to potentially reauthorize power operations at the Palisades Nuclear Power Plant. The meeting notice and agenda, dated August 8, 2023, is available in the Agencywide Documents Access and Management System (ADAMS) at Accession No. ML23235A240. A list of attendees is provided as an Enclosure.

The licensee's slide presentation is available in ADAMS at Accession No. ML23235A180. The licensee began the presentation with an overview of their plan to submit the request for exemption. The licensee stated that the exemption would request a one-time rescission of the docketed certifications for permanent cessation of operations and permanent removal of fuel from the reactor. According to the licensee, this would remove the 10 CFR 50.82(a)(2) restriction that no longer authorizes operation of the Palisades reactor or emplacement or retention of fuel into the Palisades reactor vessel. The licensee identified two NRC documents that they considered when preparing the application (Regulatory Guide 1.184 "Decommissioning of Nuclear Power Reactors" and a letter cited in a petition for rulemaking denial PRM-50-117 "Criteria to Return Retired Nuclear Power Reactors to Operation"). These documents talk about evaluating a request to reauthorize operation on a case-by-case basis and that no regulations prohibit requesting exemption from the regulations related to terminating a license, respectively.

The presentation then moved on to the other licensing actions Holtec would be submitting in support a reauthorization of power operations. These include license amendments to update the operating license, the technical specifications, environmental protection plan, administrative requirements, and the emergency plan, as well as requesting rescission of exemptions that would no longer be applicable. The licensee also mentioned submitting a license transfer application to transfer operating authority to another entity. The licensee then described other actions it would be taking to support operations such as restoring commitments, regulatory programs, and operating procedures.

In the licensee's plan, the exemption would have implementation conditions. The licensee believed the one-time recission may not be implemented until the transfer and other license amendments were approved, as well as any conditions associated with those approvals. In the licensee's plan, once all of exemption conditions have been met, they would submit a letter notifying the NRC of the exemptions implementation and at that point would consider Palisades transitioned from decommissioning to power operations. The NRC staff asked if this letter was in lieu of a 10 CFR 50.82(a)(7) decommissioning schedule change letter. Holtec clarified that a decision to fully move forward with requesting reauthorization of power operations has not yet been made. That decision is still contingent on securing a loan from the Department of Energy. If that decision is made, Holtec would submit the 10 CFR 50.82(a)(7) letter stating that the licensee is formally moving forward with its request to reauthorize power operations and would no longer plan to withdraw from the decommissioning fund. A second letter, later in the project, would be submitted notifying the NRC of the exemption's implementation and the plant's transition from decommissioning to power operations.

Next Holtec discussed the justification they planned to provide in the exemption request submittal, including its special circumstance justification. The licensee also discussed its environmental assessment to support the licensing action. Holtec re-stated its belief that the action met the conditions for a categorical exclusion under the requirements of 10 CFR 51.22(c)(25). The licensee stated that an independent environmental review was in progress to validate the proposed exemption and supporting licensing amendments are bounded by previous environmental impact findings. The NRC staff stated that providing as much information as possible that went into the licensee's environmental review, will assist the staff in doing its own environmental review.

The licensee provided a slide that laid out the different licensing requests (exemptions and amendments) which included dates for when each was planned to be submitted, dates for which they would ask approval by, and when each would become effective. The final column was the implementation date, or transition date, which is currently planned for August 2025.

The licensee concluded the presentation by going through the status of the decommissioning licensing actions currently under NRC review. Except for the defueled emergency plan amendment request, Holtec stated that the actions would only be implemented if reauthorization is not pursued. Holtec will work with NRC staff to ensure the appropriate conditions or implementation clauses are included prior to the NRC staff completing its review. For the defueled emergency plan amendment, Holtec would like the NRC to complete its review, and should the NRC grant approval, Holtec plans to implement the defueled emergency plan independent of the decision to pursue reauthorization. The NRC staff stated they were willing to work with Holtec on the proper wording for any license conditions or implementation clauses that are needed.

Members of the public were in attendance and some of them had comments for the NRC staff. There were some comments in favor of the licensee moving forward with the project for reasons related to providing local jobs, tax revenue, and a clean energy source. Others were against the licensee moving forward with the project for reasons such as it being too risky and too old. Also there were questions regarding the use of the decommissioning funds, status of gas monitors, reactor vessel head and steam generator integrity, tritium, environmental justice, and overall project cost.

No Public Meeting Feedback Forms were received.

Please direct any inquiries to me at 301-415-2048, or via email at Justin.Poole@nrc.gov.

/RA/

Justin C. Poole, Project Manager
Plant Licensing Branch I
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-255

Enclosure:
List of Attendees

cc: Listserv

LIST OF ATTENDEES
AUGUST 29, 2023, MEETING WITH HOLTEC DECOMMISSIONING INTERNATIONAL, LLC
PLAN TO SUBMIT AN EXEMPTION REQUEST AS PART OF A REGULATORY PATH FOR
POTENTIALLY REQUESTING REAUTHORIZATION OF POWER OPERATIONS AT
PALISADES NUCLEAR PLANT

NRC Participants:

- Bo Pham, Director, Office of Nuclear Reactor Regulation (NRR)/Division of Operating Reactor Licensing (DORL)
- Jamie Heisserer, Deputy Director, NRR/DORL
- Hipolito Gonzalez, Branch Chief, NRR/DORL/Plant Licensing Branch 1 (LPL1)
- Justin Poole, Project Manager, NRR/DORL/LPL1
- Ngola Otto, Project Manager, NRR/DORL/Licensing Projects Branch
- John Moses, Deputy Director, Office of Nuclear Material Safety and Safeguards (NMSS)/Division of Rulemaking, Environmental, and Financial Support (REFS)
- Ken Erwin, Branch Chief, NMSS/REFS/Environmental Review New Reactors Branch (ENRB)
- Lauren Willingham, Environmental Project Manager, NMSS/REFS/ENRB
- Brian Glowacki, Environmental Project Manager, NMSS/REFS/ENRB
- Jeremy Groom, Deputy Director, NMSS/Division of Decommissioning, Uranium Recovery, and Waste Programs (DUWP)
- Shaun Anderson, Branch Chief, NMSS/DUWP/Reactor Decommissioning Branch (RDB)
- Marlayna Doell, Project Manager, NMSS/DUWP/RDB
- Jason Kozal, Deputy Director, Region 3 (RIII)/Division of Operating Reactor Safety (DORS)
- Megan Gangewere, Reactor Inspector, RIII/DORS/Engineering Branch 1
- Brett Klukan, Regional Council, Region 1
- Patrick Finney, Branch Chief, NRR/Division of Reactor Oversight (DRO)/Reactor Inspection Branch
- Alex Garmoe, Senior Reactor Analyst, NRR/DRO/Reactor Assessment Branch
- Gehan Flanders, Senior Health Physicist, RIII/Division of Radiological Safety and Security (DRSS)/Decommissioning Reactor ISFSI Health Physics Branch (DRIHP)
- Dan Sargis, Health Physicist, RIII/DRSS/DRIHP
- Nathan Audia, Reactor Inspector, RIII/DRSS/DRIHP
- Michael Spencer, Office of General Counsel
- Kevin Roach, Office of General Counsel
- Carolyn Wolf, Congressional Affairs Officer
- Allan Barker, Regional Governmental Affairs Officer, RIII
- Ryan Alexander, Regional State Liaison Officer, RIII
- Michael Marshall, Senior Project Manager, NRR/DORL/LPL1
- Nicholas Difrancesco, Branch Chief, Office of Nuclear Security and Incident Response (NSIR)/Division of Preparedness and Response (DPR)/Reactor Licensing Branch (RLB)
- Jeannette Arce, Emergency Preparedness Specialist, NSIR/DPR/RLB
- Don Johnson, Senior Emergency Preparedness Specialist, NSIR/DPR/Policy and Oversight Branch (POB)
- Robert Fisher, Emergency Preparedness Specialist, NSIR/DPR/POB
- Jeremiah Rey, Security Specialist, NSIR/Division of Security Operations (DSO)/Security Oversight and Support Branch
- Tony Nakanishi, Technical Assistant, Office of the Chairman
- Robert Williams, Technical Assistant, Office of Commissioner Wright

- Jo Jacobs, Budget and Policy Advisor, Office of Commissioner Crowell
- Robert Schaaf, Advisor, Pacific Northwest National Laboratories
- Andrea Cass, Administrative Assistant, Region 1
- Amar Patel, Reactor System Engineer, Region 1
- Neil Day, Senior Resident Inspector, Region 1

Holtec Decommissioning International, LLC:

- Jean Fleming, Vice President of Licensing, Regulatory Affairs and PSA
- Michael Schultheis, Manager, Regulatory Affairs Palisades
- James Miksa, Licensing Engineer
- Justin Hawkins
- Bill Noval
- Nicholas Culp
- Michael Bailey
- Kevin Block
- Michael Mlynarek
- Daniel Geerlings
- Benjamin Reynolds

Public:

- Tom Pollog, Department of Energy
- Chin Cheung, Department of Energy
- Terrence Hulihan, Department of Energy
- Alicia Williamson, Department of Energy
- Jon Okafor, Department of Energy
- Colleen Coffey, Department of Energy
- Ryan Fuld, Department of Energy
- John Simons, Vice President Power Services, MPR Associates
- Joshua Jones, Engineer, MPR Associates
- Paul Gunter, Reactor Oversight, Beyond Nuclear
- Lisa Kindschy, LARA
- Cyler Conrad
- Erica Diaz
- Shannon
- Mike Gallagher
- Julie Ginevan, LARA
- Brandon Hinz
- Greg Gothard, EGLE
- Jana Bergman
- Donovan Thomas, EGLE
- Mike Chappell
- Kathy Wagaman, South Haven Chamber
- Tim
- Michael Keegan
- Jeffrey D. Quinn
- Kevin Kamps, Beyond Nuclear & Don't Waste Michigan
- David Asselin, EGLE
- Theodore R. Wentworth, EGLE
- Mike
- Tom
- Sarah Ketchum
- Zachary Morris
- Richard Burroni
- Patricia Furio
- Justin Johnson
- Jamie L Hansen
- Mary Hoganson
- Patrick White, NIA
- Bette Pierman
- John Faul
- Sarah Snoeyink
- Ross
- Jack Ridilla
- Kate Hosier
- Michael Troup, BCSSO
- Jessica Duell, LARA
- Lucas Johnson
- Tim Basham
- Leigh Lloveras, Breakthrough Institute
- Melissa Bramble, LEO
- Rachel Turney
- Adam Pack, EPW
- Marissa Leigh Alcalá
- Charlie Bowser
- Ed Davis
- Brian Dissette
- Mitch Hemesath, EGLE
- Madison Schroder
- Lynne Goodman
- Kathy Barnes
- 126XXXXXXX00
- 126XXXXXXX18
- 123XXXXXXX08
- 124XXXXXXX56

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DECOMMISSIONING INTERNATIONAL, LLC REGARDING PLAN TO SUBMIT
AN EXEMPTION REQUEST AS PART OF A REGULATORY PATH FOR
POTENTIALLY REQUESTING REAUTHORIZATION OF POWER
OPERATIONS AT PALISADES NUCLEAR PLANT DATED SEPTEMBER 27,
2023

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ADAMS Accession Nos.:

Package: ML23263A002

Meeting Slides: ML23235A180

Meeting Notice: ML23235A240

Meeting Summary: ML23263A001

OFFICE	NRR/DORL/LPL1/PM	NRR/DORL/LPL1/LA	NRR/DORL/LPL1/BC	NRR/DORL/LPL1/PM
NAME	JPoole	KZeletznoek	HGonzález	JPoole
DATE	9/27/2023	09/21/2023	9/26/2023	9/27/2023

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