



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

December 3, 2021

OFFICE OF NUCLEAR REACTOR REGULATION

NOTIFICATION OF SIGNIFICANT LICENSING ACTION

LICENSEE: Entergy Nuclear Operations, Inc.
Entergy Nuclear Palisades, LLC

Big Rock Point Plant
Palisades Nuclear Plant
License Nos. DPR-6 and DPR-20
and their generally licensed ISFSIs
Docket Nos. 50-155, 50-255, 72-007, and 72-043

SUBJECT: PROPOSED ISSUANCE OF AN ORDER APPROVING A LICENSE TRANSFER
APPLICATION FOR WHICH A HEARING HAS BEEN REQUESTED
(EPID L-2020-LLM-0003)

This is to inform the Commission that an order approving the transfer of licenses and draft conforming administrative license amendments will be issued on or about December 13, 2021, to Entergy Nuclear Operations, Inc. (ENOI); Entergy Nuclear Palisades, LLC (ENP); Holtec International (Holtec); and Holtec Decommissioning International, LLC (HDI) (collectively, the Applicants). This action is being taken in response to the application dated December 23, 2020 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20358A075), as supplemented by information provided in letters from HDI dated December 23, 2020, December 23, 2020, and October 29, 2021 (ADAMS Accession Nos. ML20358A232, ML20358A239, and ML21302A064, respectively). The application requests that the U.S. Nuclear Regulatory Commission (NRC) consent to the transfer of Renewed Facility Operating License No. DPR-20 for the Palisades Nuclear Plant (PNP), the general license for the PNP Independent Spent Fuel Storage Installation (ISFSI), Facility Operating License No. DPR-6 for Big Rock Point Plant (BRP), and the general license for the BRP ISFSI (referred to collectively as the Sites and the licenses) to a Holtec subsidiary to be known as Holtec Palisades, LLC (Holtec Palisades). The Applicants also requested that the NRC consent to the transfer of ENOI's operating authority (i.e., its authority to conduct licensed activities at the Sites) to HDI. Finally, the Applicants requested that the NRC approve conforming administrative amendments to the licenses to reflect the proposed license transfer and the planned name change from ENP to Holtec Palisades.

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BRP permanently ceased operations on August 29, 1997. Subsequently, all spent nuclear fuel was transferred to an ISFSI. In 2007, decommissioning and dismantlement of the facilities was completed and in accordance with an approved license termination plan, all property, other than an onsite parcel of land of approximately 30 acres within which the ISFSI is located and an additional non-impacted parcel of approximately 75 acres adjacent to the ISFSI, was released.

PNP is a pressurized-water reactor with a thermal rating of 2,565 megawatts thermal. ENOI has certified to the NRC that operations will permanently cease at PNP no later than May 31, 2022. The transfer transaction would not be consummated until after the permanent cessation of operations at PNP. The purpose of the requested transfer of the licenses is to permit the decommissioning of the Sites and the unrestricted release of all portions of the Sites, other than the ISFSIs, on an accelerated schedule.

On February 4, 2021, the NRC published in the *Federal Register* (FR) an opportunity to request a hearing and to comment on the license transfer application (86 FR 8225). In response, separate hearing requests were filed by: (1) the State of Michigan; (2) the Environmental Law and Policy Center; (3) Beyond Nuclear, Michigan Safe Energy Future, and Don't Waste Michigan; and (4) Mark Muhich. These hearing requests remain pending before the Commission. The hearings, if granted, will take place after the approval of the license transfer application. The order approving the application includes a condition that the approval of the license transfers is subject to the Commission's authority to rescind, modify, or condition, the approved transfers based on the outcome of any post-effectiveness hearing on the license transfer application. See *Susquehanna Nuclear, LLC* (Susquehanna Steam Electric Station, Units 1 and 2), CLI-17-4, 85 NRC 59, 61 n.5 (2017); *Power Auth. of the State of N.Y.* (James A. FitzPatrick Nuclear Power Plant), CLI-01-14, 53 NRC 488, 502, 554-55 (2001) (citing *Long Island Lighting Co.* (Shoreham Nuclear Power Station, Unit 1), CLI-92-4, 35 NRC 69, 80 n.7 (1992)). The NRC received 76 comment submissions on the license transfer application (available at www.regulations.gov under docket NRC-2021-0036). The NRC staff considered the comments as part of its evaluation of the application.

In accordance with the Commission's regulations, the NRC staff notified the Michigan State official of the proposed license transfer and issuance of draft conforming amendments on November 5, 2021. The State official had no comments.

Concurrent with the issuance of the order approving the transfer of licenses and draft conforming administrative license amendments, the NRC staff will also issue its approval of an exemption request permitting HDI to use funds from the PNP nuclear decommissioning trust for spent fuel management and site restoration activities at PNP and to make these withdrawals without prior notification to the NRC. The exemption will only apply if and when the transfer transaction is consummated.

NOTE: Information to be added after the order is issued.

Date order issued: 12/13/21

Date received by licensee: 12/13/21

Date the parties to the proceeding were notified: 12/13/21

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ADAMS Accession No.: ML21291A237

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