



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

July 1, 2024

Harlan Baker, Chairman
Chippewa Cree Indians of the Rocky Boy's
Reservation of Montana
96 Clinic Road
Box Elder, MT 59521

SUBJECT: INITIATION OF SCOPING PROCESS AND SECTION 106 CONSULTATION FOR THE ENVIRONMENTAL REVIEW OF HOLTEC DECOMMISSIONING INTERNATIONAL, LLC'S LICENSING AND REGULATORY REQUESTS FOR REAUTHORIZATION OF POWER OPERATIONS AT PALISADES NUCLEAR PLANT (EPID NUMBER: L-2024-LNE-0003) (DOCKET NUMBER: 50-0255)

Dear Chairman Harlan Baker:

The U.S. Nuclear Regulatory Commission (NRC) is conducting an environmental review for a series of licensing and regulatory requests submitted by Holtec Decommissioning International, LLC (HDI) that seek NRC approvals to reauthorize power operations at the Palisades Nuclear Plant (PNP). These requests include an exemption request, a license transfer request, and license amendment requests. Concurrently, the U.S. Department of Energy's (DOE) Loan Programs Office (LPO)'s proposed action, pursuant to its authority under Title 17 of the Energy Policy Act of 2005, as amended, is consideration of providing Federal financial assistance (a loan guarantee) to support the reauthorization of power operations at PNP. Accordingly, the DOE LPO will serve as a cooperating agency on the environmental review while the NRC will be the lead Federal agency for the environmental review under the National Environmental Policy Act of 1969, as amended (NEPA) and the Section 106 consultation under the National Historic Preservation Act of 1966, as amended (NHPA). The purpose of this letter is to inform you about the NRC's environmental review activities and to initiate NHPA Section 106 consultation.

Enclosure 1 provides a table which lists the submittals received and the NRC's Agencywide Documents Access and Management System's (ADAMS) accession numbers for each submittal and the associated NRC acceptance letters. This information can also be found on the NRC's website at <https://www.nrc.gov/info-finder/reactors/pali.html>.

The PNP is located in Van Buren County, Michigan, along the shore of Lake Michigan, approximately 2.5 miles northwest of Covert Township (Enclosure 2). PNP permanently ceased operations on May 20, 2022, after more than 40 years of commercial operation. In early 2023, HDI, the licensee for PNP, expressed an interest in returning the plant to an operational status. As mentioned, HDI is pursuing several licensing and regulatory actions to restore the operational licensing basis for the plant. The NRC will review HDI's submittals to ensure that HDI's proposal to restore the licensing basis of the plant to an operational status will comply with NRC safety, security, and environmental requirements. The licensing and regulatory requests, if approved, would allow for the placement of fuel into the reactor vessel and restart of power operations in Unit 1 for the duration of the renewed facility operating license term, which expires in 2031.

By letter dated June 18, 2024 ([ML24169A434](#)), the NRC accepted the last submittal associated with the licensing and regulatory requests to potentially reauthorize power operations at PNP. As part of the review of these requests, the NRC staff is preparing an environmental assessment (EA) as required by Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, the NRC's regulations that implement NEPA. The NRC staff published a Notice of Intent (NOI) in the *Federal Register* on June 27, 2024 ([89 FR 53659](#)), thereby initiating the NRC's environmental review under NEPA. This notice informs the public that the NRC intends to conduct a 30-day scoping period to gather the information necessary to prepare an EA related to the review of the licensing and regulatory requests for the potential reauthorization of power operations at PNP.

In accordance with 36 CFR 800, "Protection of Historic Properties," Section 800.8(c), the NRC is using the NEPA process to comply with Section 106 of the NHPA, in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. Pursuant to 36 CFR 800.2(a)(2), NRC will serve as the lead federal agency for NRC's undertaking and DOE LPO's undertaking. The EA will include identification of historic and cultural resources and historic properties, an analysis of potential effects of the proposed actions, including potential effects on historic and cultural resources and historic properties as well as the NRC staff's preliminary determinations. The NRC is in the process of determining the direct and indirect Area of Potential Effect (APE) for the exemption request. Once the APE has been defined, the NRC will notify all consulting parties.

Pursuant to 36 CFR 800.8(c)(1)(iii), the NRC wishes to ensure that Indian Tribes who might attach religious and cultural significance to historic properties in the APE are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

As discussed in the NOI, the NRC and DOE LPO are providing the potential consulting parties and public with the opportunity to participate in a hybrid environmental scoping meeting to be held on July 11, 2024, at 6:00 p.m. eastern time (ET), at Mendel Center, Grand Upton Hall, at Lake Michigan College, 1100 Yore Ave, Parking Lot 3, Benton Harbor, Michigan, 49022, and will also hold an open house from 5:00 p.m. to 6:00 p.m. ET. Additional information including an agenda for the meeting can be found on the NRC's Public Meeting Schedule website at: <https://www.nrc.gov/pmns/mtg>.¹ At this meeting, the NRC and DOE LPO staff will present an overview of the environmental review process, hold a brief question and answer session, and will solicit comments on the scope of the environmental review. Members of the public and potential consulting parties will have an opportunity to provide comments during the meeting.

Additionally, the NRC will hold an informational meeting with Federally recognized Tribal governments on July 16, 2024, from 2:00 p.m. to 4:00 p.m. ET, to provide an overview of the NRC's environmental review. This meeting is not open to the public and is intended to afford Tribal representatives an opportunity to discuss with NRC staff the submitted licensing and regulatory requests and the NRC's associated review and ask questions. The NRC is also interested in how your Tribe would like to participate in this environmental review. This meeting will not be recorded or transcribed. Information including an agenda for this meeting will be provided in a separate communication.

¹ The meeting announcement can be found by going to the NRC's public meeting website at <https://www.nrc.gov/pmns/mtg> and locating the July 11th public scoping meeting entry. Additional information about the meeting (e.g., agenda) can be found by clicking the links in the scoping meeting entry.

The NRC invites you to submit any comments or concerns that you may have on the scope of the environmental review and NRC's Section 106 consultation and historic and cultural resources evaluation by July 29, 2024. In addition to the public scoping meeting, comments may be submitted by any of the following methods or directly to the points of contact listed below:

- Email comments to: PalisadesRestartEnvironmental@nrc.gov;
- Mail comments to: Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Program Management, Announcements and Editing Staff; or
- Federal Rulemaking Website: Go to <https://www.regulations.gov> and search for Docket ID NRC-2024-0076.

The NRC expects to issue the draft EA for the consulting parties and public review and comment by January 2025. A copy of the draft EA will be made available for your review and comment.

If you have any questions concerning the NRC's Section 106 consultation or environmental review, please contact Jennifer Davis, staff archaeologist at 301-415-3835 or via email at Jennifer.Davis@nrc.gov; or the environmental project manager, Laura Willingham, at 301-415-0857 or via email at Laura.Willingham@nrc.gov.

Sincerely,



Signed by Moses, John
on 07/01/24

John M. Moses, Deputy Director
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-255

Enclosures:

1. Holtec Decommissioning International, LLC,
Submittals to Reauthorize Power Operations
at the Palisades Nuclear Plant
2. Figure 1 – A map of the “Palisades Site Layout”
(see dashed line for the site boundary) from the
2006 Supplemental Environmental Impact Statement
(see Figure 2-3 in [ML062710300](#))

cc: Listserv

Jonathan Windy Boy
Tribal Historic Preservation Officer
rep32jwb@gmail.com
jonathan.windyboy@nei-yahw.com

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DATED: July 1, 2024

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ADAMS Accession No: ML24183A130

***via email**

OFFICE	PM:REFS/ETR1	LA:REFS/EPM2	PM:REFS/EPM3	BC:REFS/EPM3	BC:REFS/ETR1
NAME	JDavis	AWalker-Smith	LWillingham	DBarnhurst	MRome
DATE	6/17/2024	6/25/2024	6/27/2024	6/27/2024	6/29/2024
OFFICE	PM:REFS/ETR1	OGC	DD:REFS		
NAME	JDavis	MASpencer*	JMoses		
DATE	6/29/2024	6/28/2024	7/01/2024		

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Holtec Decommissioning International, LLC, Submittals to Reauthorize Power Operations at the Palisades Nuclear Plant

Holtec Decommissioning International, LLC Submittal	ADAMS¹ Accession No.	NRC Acceptance Letter ADAMS Accession No.
Request for Exemption from Certain Termination of License Requirements of 10 CFR 50.82, dated September 28, 2023.	ML23271A140	ML23291A440
Application for Order Consenting to Transfer of Control of License and Conforming License Amendments, dated December 6, 2023.	ML23340A161	ML24012A242
Request to Revise Operating License and Technical Specifications to Support Resumption of Power Operations, dated December 14, 2023.	ML23348A148	ML24022A117
Request to Revise the Administrative Technical Specifications to Support Resumption of Power Operations, dated February 9, 2024.	ML24040A089	ML24060A221
Request to Reinstate the Palisades Emergency Plan to Support Resumption of Power Operations, dated May 1, 2024.	ML24122C666	ML24141A119
Request to Revise the Main Steam Line Break Methodology for Palisades Nuclear Plant to Support Resumption of Power Operations, dated May 24, 2024.	ML24145A145	ML24169A434

¹ Publicly available documents can be found online in the NRC's Agencywide Documents Access and Management System's (ADAMS) Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209 or 301-415-4737, or by email to PDR.Resource@nrc.gov.

Figure 1 – A map of the “Palisades Site Layout” (see dashed line for the site boundary) from the 2006 Supplemental Environmental Impact Statement (see Figure 2-3 in [ML062710300](http://www.dnr.state.mi.us/palisades/ML062710300))

