

January 31, 2025

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

HOLTEC DECOMMISSIONING INTERNATIONAL,  
LLC, AND HOLTEC PALISADES, LLC

(Palisades Nuclear Plant)

Docket No. 50-255-LA-3

**NOTIFICATION OF AVAILABILITY OF DRAFT ENVIRONMENTAL  
ASSESSMENT AND DRAFT FINDING OF NO SIGNIFICANT IMPACT**

In accordance with Commission precedent, the U.S. Nuclear Regulatory Commission (NRC) staff (Staff) is informing the licensing board (Board) and the participants of relevant new developments in the proceeding.<sup>1</sup> In this case, the issuance of a Staff environmental document may bear on the admissibility of proposed contentions<sup>2</sup> and trigger the petitioners' obligation to file new or amended contentions.<sup>3</sup>

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<sup>1</sup> *USEC Inc. (American Centrifuge Plant)*, CLI-06-10, 63 NRC 451, 470 (2006) (reminding the participants of their notification obligations where the Staff and applicant did not inform the Commission, the Board, or the petitioner of an update to the application that seemingly mooted the proposed contention).

<sup>2</sup> *See, e.g., USEC Inc. (American Centrifuge Plant)*, CLI-06-9, 63 NRC 433, 444-45 (2006) (explaining that a presiding officer may find a proposed contention on an environmental report is mooted by a Staff environmental impact statement "as part of the contention admission phase of the proceeding").

<sup>3</sup> *See, e.g., 10 C.F.R. § 2.309(f)(2); Pacific Gas & Elec. Co. (Diablo Canyon Nuclear Power Plant, Units 1 and 2)*, CLI-16-11, 83 NRC 524, 539 (2016) (placing the burden on the petitioner to file new or amended contentions when an omission is cured by new information, but noting that the Board may reasonably request briefing on the question of mootness).

Today, the Staff has noticed the availability of the draft environmental assessment (EA) and draft finding of no significant impact (FONSI) (Draft EA/FONSI)<sup>4</sup> for a series of licensing and regulatory requests related to potential restart of Palisades, including the requests at issue in this contested proceeding.

The draft EA and draft FONSI relate to the environmental contentions proposed by Beyond Nuclear, Michigan Safe Energy Future, Don't Waste Michigan, Three Mile Island Alert and Nuclear Energy Information Service (Petitioning Organizations) as follows:

- Proposed Contention 2: The Staff has published a draft EA and a draft FONSI for comment.
- Proposed Contention 5: Section 1.2 of the Draft EA/FONSI addresses the purpose and need for the proposed actions.
- Proposed Contention 6: Sections 2.2 and 4.2 of the Draft EA/FONSI address alternatives to the proposed action, including the no-action alternative.
- Proposed Contention 7: Appendix F of the Draft EA/FONSI addresses greenhouse gas emissions of the proposed actions,<sup>5</sup> how climate change is expected to affect the baseline environment,<sup>6</sup> and how the proposed actions' impacts would be altered by this change to the baseline environment.<sup>7</sup>

Respectfully submitted,

**/Signed (electronically) by/**

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<sup>4</sup> "Draft Environmental Assessment and Draft Finding of No Significant Impact for the Palisades Nuclear Plant Reauthorization of Power Operations Project" (Draft for Comment) (Jan. 2025) (ML24353A157) (Draft EA/FONSI); Holtec Decommissioning International, LLC and Holtec Palisades, LLC; Palisades Nuclear Plant; Draft Environmental Assessment and Draft Finding of No Significant Impact, 90 Fed. Reg. 8721 (Jan. 31, 2025).

<sup>5</sup> Draft EA/FONSI, Appendix F.4 "Greenhouse Gases." See *also* Draft EA/FONSI, Section 3.3

<sup>6</sup> Draft EA/FONSI, Appendix F.2 "Expected Climatological Changes."

<sup>7</sup> Draft EA/FONSI, Appendix F.3 "Environmental Consequences of Preparation to Resumption of Power Operations and the Resumption of Power Operations."

**Executed in Accord with 10 CFR 2.304(d)**

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**Certificate of Service**

Pursuant to 10 C.F.R. § 2.305, I hereby certify that the "Notification of Availability of Draft Environmental Assessment and Draft Finding of No Significant Impact," has been filed through the NRC's E-Filing system this 31st day of January 2025.

**/Signed (electronically) by/**

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