



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

August 14, 2025

Mr. Wallace L. Taylor, Esq.
4403 1st Avenue SE, Suite 402
Cedar Rapids, IA 52402

Mr. Terry J. Lodge, Esq.
316 N. Michigan Street, Suite 520
Toledo, OH 43604-5627

SUBJECT: DIRECTOR'S DECISION REGARDING DECOMMISSIONING TRUST FUND
MISUSE FOR PALISADES NUCLEAR PLANT (EPID L-2023-CRS-0008)

Dear Mr. Taylor and Mr. Lodge:

By letter dated December 5, 2023 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML23339A192), Beyond Nuclear, Michigan Safe Energy Future, and Don't Waste Michigan submitted a petition to intervene and a hearing request on an exemption request filed by Holtec Decommissioning International, LLC (Holtec), on behalf of Holtec Palisades, LLC, seeking to exempt the Palisades Nuclear Plant (Palisades) from certain requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) 50.82, "Termination of license" (ML23271A140). On December 18, 2023 (ML23352A325), the Secretary of the Commission referred one of the petitioner's contentions regarding Holtec's use of Palisades' decommissioning trust fund (DTF) to the enforcement petition process under 10 CFR 2.206, "Requests for action under this subpart."

You met with the petition review board (PRB) on April 10, 2024, to clarify the bases for your petition. The transcript of that meeting (ML24114A016) is considered a supplement to the petition.

On July 2, 2024 (ML24137A014), the U.S. Nuclear Regulatory Commission (NRC) staff acknowledged receiving your petition and stated that, pursuant to 10 CFR 2.206, a portion of your petition was referred to the petition manager for action and that the petition was being held in abeyance until the NRC completed a review of the 2023 expenditure report for Palisades, as it is relevant to the decision on the 10 CFR 2.206 petition. On February 20, 2025 (ML25052A070), the NRC staff informed you that the NRC's review of the 2023 expenditure report for Palisades has been completed and that the PRB will resume reviewing your petition.

As explained in the proposed director's decision (ML25097A167), the PRB recommended denying your request to take enforcement action concerning Holtec's use of the Palisades' DTF. The PRB concluded that the issues raised regarding Holtec's use of the Palisades' DTF in 2023 have already been addressed through the NRC's inspection and enforcement process, that violations related to these inspection findings have already been cited, and that there is no indication that withdrawals from the DTF were for restart-specific activities. Therefore, there is an insufficient basis on which to take further enforcement action against Holtec.

The NRC staff sent a copy of the proposed director's decision to you and to Holtec for comment on June 18, 2025 (ML25097A168, ML25097A169). You responded with comments on July 2, 2025 (ML25183A399), and the licensee did not provide any comments. The comments and the staff's responses to them are included as an attachment to the director's decision.

For the reasons provided in the enclosed director's decision (DD-25-02), I have determined that the actions requested in the petition will not be granted in whole or in part.

A copy of DD-25-02 will be filed with the Secretary of the Commission for review by the Commission, in accordance with 10 CFR 2.206(c). As provided for by this regulation, the decision will constitute the final action of the Commission 25 days after the date of the decision unless the Commission, on its own motion, institutes a review of the decision within that time. The documents cited in the enclosed decision are available in ADAMS in the NRC's library at <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS, who encounter problems in accessing the documents located in ADAMS, or who want to inspect publicly available documents at the NRC's Public Document Room at 11555 Rockville Pike, Rockville, Maryland 20852, should contact the NRC's Public Document Room reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by email at pdr.resource@nrc.gov.

The notice of "Issuance of the Director's Decision Under 10 CFR 2.206" will be filed with the Office of the Federal Register for publication.

I would like to acknowledge your efforts in bringing the issues to the attention of the NRC. Please feel free to contact Zach Turner, petition manager, at Zachary.Turner@nrc.gov, or by telephone at 301-415-2258, to discuss any questions related to this petition.

Sincerely,

Jeremy Groom, Acting Deputy Director,
Reactor Safety Programs and Corporate Support
Office of Nuclear Reactor Regulation

Docket No. 50-255

Enclosure:
Director's Decision DD-25-02

cc: Listserv

ENCLOSURE

**DIRECTOR'S DECISION
ADAMS ACCESSION NO. ML25199A096**

SUBJECT: DIRECTOR'S DECISION REGARDING DECOMMISSIONING TRUST FUND
MISUSE FOR PALISADES NUCLEAR PLANT (EPID L-2023-CRS-0008)
DATED AUGUST 14, 2025.

DISTRIBUTION: OEDO-24-00011**PUBLIC**

RidsEdoMailCenter Resource
RidsNrrOd Resource
RidsNrrPMPalisades Resource
RidsNrrDorl Resource
RidsNrrDorlPl1 Resource
RidsNrrDorlPl2-1 Resource
RidsNrrDorlPl2-2 Resource
RidsNrrDorlPl3 Resource
RidsNrrDorlPl4 Resource
RidsNrrDnrlNvib Resource
RidsNrrDnrlNlrp Resource
RidsNrrLAKZelevnock Resource
RidsNrrMailCenter Resource
RidsOcaMailCenter Resource
RidsOgcMailCenter Resource
RidsOpaMail Resource

RidsRgn1MailCenter Resource
RidsRgn2MailCenter Resource
RidsRgn3MailCenter Resource
RidsRgn4MailCenter Resource
ZTurner, NRR
DGalvin, NRR
DKing, NRR
RTurtill, NMSS
VMyers, RIII
GFlanders, RIII
DBroaddus, NRR
NJordan, NRR
RLantigua, NRR
JSmith, NRR
BWetzel, NRR
DWillis, OE

ADAMS Accession Nos.:**ML25199A053 (Package)****ML25199A095 (Letter)****ML25199A096 (Directors Decision)*****via eConcurrence****NRR-106**

OFFICE	NRR/DORL/LPL2-1/PM	NRR/DORL/LPL2-1/LA	NMSS/REFS/FAB	NMSS/DUWP/RDB
NAME	ZTurner	KZelevnock (PBlechman for)	RTurtill	MDoell
DATE	7/21/2025	7/24/2025	7/28/2025	7/24/2025
OFFICE	R-III/DRSS/DRIHPB	NRR/DORL/LPL2-2/BC	QTE/Tech. Editor	NMSS/REFS/DD
NAME	VMyers	DWrona	KAzariah-Kribbs	MRalph
DATE	7/24/2025	7/29/2025	8/10/2025	7/31X/2025
OFFICE	NRR/DORL/D (Acting)	OGC – NLO	NRR/D	NRR/DORL/D (Acting)
NAME	JPelton	RCarpenter	JGroom	ARivera-Varona
DATE	8/5/2025	8/12/2025	8/14/2025	8/14/2025
OFFICE	NRR/DORL/LPL2-1/PM			
NAME	ZTurner			
DATE	8/14/2025			

OFFICIAL RECORD COPY