

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

Petition Under 10 CFR 2.206 Requesting Enforcement Action

Regarding Procedural Defect in Licensee Submittal Relied Upon by

NRC Staff

Submitted by:

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269-303-6396

Docket No.: 50-255

Facility Name: Palisades Nuclear Plant

I. INTRODUCTION

On July 24, 2025, the NRC Staff formally notified the Commission that it had approved the suite of licensing actions requested by Holtec Palisades, LLC to reverse the 10 CFR 50.82 certifications and reauthorize the Palisades Nuclear Plant for power operations. These actions included license amendments, an exemption from 10 CFR 50.82(a)(2), and updates

to the plant's Technical Specifications and emergency planning basis, as documented in NRC Staff Notification ML25205A193. In that notification, the Staff stated:

*“Although the Staff issued these actions today, the license amendments and exemption are conditioned such that the plant cannot return to an operational status and would not be authorized to receive or load fuel, earlier than August 25, 2025. **This is in line with the licensee’s July 1, 2025, Notification of Readiness for Transition to Power Operations Licensing Basis letter (ML25182A066).**”*

This notification shows the effective date of these approvals was explicitly tied to Holtec's July 1, 2025, letter titled *“Notification of Readiness for Transition to Power Operations Licensing Basis”* (ML25182A066), which the NRC staff treated as the basis for determining when fuel loading and operational activities could begin.

However, Holtec's July 1 letter was not submitted under oath or affirmation and lacks any sworn certification—contrary to longstanding NRC regulatory requirements and guidance for licensee communications relied upon to support licensing decisions. Despite this procedural defect, the

NRC treated the letter as a regulatory trigger, effectively conditioning the implementation of critical licensing actions on an unverified, unsworn assertion of readiness.

This concern is compounded by newly disclosed NRC findings in a July 18, 2025, inspection report (ML25177C973), which identified five apparent violations by Holtec at its Camden Corporate Office, including two potentially subject to escalated enforcement. Regarding licensing and quality assurance, one officer of the company is responsible for both locations, Camden and Palisades and both fall under the oversight of the same executive review committee. These violations reflect systemic breakdowns in design control, corrective action, and licensing basis maintenance under 10 CFR Part 72—the same categories of regulated activity Holtec must now manage during its restart of Palisades. Escalated enforcement is under consideration. Although the inspection focused on Holtec’s dry cask storage systems, the findings raise broader concerns about the company’s regulatory conduct, application of the 50.59 rule, internal oversight, and adherence to NRC-endorsed guidance. Of particular concern were Holtec’s failures in the performance and documentation of Changes, Tests, and Experiments (CT&E) evaluations conducted under 10 CFR 72.48. The NRC inspection team reviewed

Holtec's biennial CT&E summary reports from 2022 and 2024 for multiple dry storage systems and found that Holtec did not consistently follow the methodologies and standards set forth in NRC Inspection Procedure 60857, IMC 0335, and Regulatory Guide 3.72 (which endorses NEI 96-07, Appendix B and NEI 12-04, Rev. 2). These deficiencies raise questions about Holtec's ability to execute similar evaluations under 10 CFR 50.59 during the Palisades restart and used in its July 1 Readiness Report, particularly when unverified or unsupported claims may be relied upon by the NRC in making safety-related decisions.

Further reinforcing this concern is a previously submitted 10 CFR 2.206 petition, currently under NRC review, which documents public statements by Holtec that were later contradicted by its own licensing filings.

Specifically, on August 1, 2024, Holtec publicly stated— to the NRC and during a public observation only meeting—that all 22 NFPA-805 fire protection modifications would be completed prior to plant restart.

However, nearly a year later, Holtec submitted a License Amendment Request acknowledging that at least two of those modifications would not be completed. Although such implementation changes may reflect project evolution, Holtec did not revise or withdraw its earlier representation, nor did it notify the NRC of the discrepancy. Notably, the NRC had previously

relied on Holtec’s August 2024 statement in responding to public and stakeholder inquiries, assuring the public that Holtec would complete all 22 modifications that were contained as license conditions, and that the NRC would perform confirmatory inspections. This history raises a credible concern that similar omissions or inaccuracies could exist in Holtec’s July 1, 2025 “readiness” letter—an unsworn submission now being treated as the regulatory trigger for implementing critical licensing approvals.

Together, these issues—disclosed violations of design control obligations and a documented occurrence of uncorrected contradictory statements—underscore why safety-related assertions made by Holtec must not be accepted without formal certification under oath or affirmation. These findings are detailed in Sections V and VI of this petition and demonstrate the need for enforceable accountability in all licensee submittals relied upon for NRC action.

This petition therefore requests enforcement action under 10 CFR 2.206 to first address the procedural defect created by the NRC’s reliance on an uncertified, unsworn submittal. I respectfully request that Holtec be required to resubmit its July 1, 2025 readiness letter under oath or affirmation, consistent with NRC requirements for licensee statements

relied upon in regulatory decision-making. Furthermore, the effectiveness of the July 24, 2025 licensing actions should be suspended until this procedural requirement is satisfied and regulatory integrity is restored.

Second, before the NRC Restart Panel convenes to consider approving the restart of Palisades, the NRC should consider conducting targeted supplemental inspections—such as those outlined in Inspection Procedure “*Evaluations of Changes, Tests, and Experiments*”, to assess Holtec’s implementation of 10 CFR 50.59, and Inspection Procedure “*Design Bases Assurance Inspection*”, to verify that safety systems, structures, and components are being maintained consistent with the plant’s current licensing basis as part of restart preparations.

The urgency of this request is underscored by the fact that the NRC’s safety basis for approving Holtec’s return-to-service plan rests almost entirely on the licensee’s own assertions, rather than direct NRC verification. In its September 2023 License Amendment Request and Specific Exemption Request (ML23271A140), Holtec said that its proposed exemption would not violate the Atomic Energy Act or NRC regulations, stating:

“Additionally, NRC inspection activities during development and implementation of the return to service plans provide added assurance that SSCs will function as required by the reinstated POLB.” (Sections 4.2–4.3)

Yet NRC inspection procedures, including Inspection Manual Chapter 0610 and Procedure 71111.21M, rely on risk-informed sampling and assume the completeness and accuracy of licensee-provided information—unless there is cause to question it. In this case, Holtec’s July 1 readiness letter plays a pivotal role, asserting that all necessary system restoration and licensing basis transitions have been completed. That assertion—unaccompanied by a sworn declaration—carries no enforceable weight under NRC regulations. “Cause to question it” arises from the NRC identified apparent violations at the Holtec Camden Corporate office, intrinsically linked through the corporate structure to the Palisades restart.

The NRC Staff’s own July 24 notification (ML25205A193) confirms that the effectiveness of the license amendments and exemption is explicitly tied to Holtec’s self-declared readiness. Without a sworn certification or more NRC inspections, the NRC lacks any legal assurance that these representations meet the standard required under 10 CFR 50.9, which

mandates that information provided to the Commission be complete and accurate in all material respects.

For these reasons, this petition seeks immediate corrective action to uphold procedural integrity and ensure that NRC licensing decisions are not premised on unverifiable licensee claims.

II. REQUESTED ACTION

Pursuant to 10 CFR 2.206, I hereby submit this petition requesting that the U.S. Nuclear Regulatory Commission (NRC) take enforcement action against Holtec Palisades, LLC and Holtec Decommissioning International, LLC for submitting a licensing basis document not under oath or affirmation—specifically, the July 1, 2025 Notification of Readiness for Transition to Power Operations Licensing Basis letter (ML25182A066)—which the NRC staff has relied upon in its July 24, 2025 notification to the Commission and in its decision to approve fuel receipt and reload for the Palisades Nuclear Plant.

In light of recent NRC findings documented in the July 18, 2025 inspection report (ML25177C973), which identified five apparent violations by Holtec, including deficiencies in design control and licensing basis management

under 10 CFR Part 72, there is a credible concern that the same systemic weaknesses may exist in Holtec's oversight of Palisades restart activities. These same regulatory processes—including evaluations under 10 CFR 50.59, understanding of commission rules for changing methods of evaluation, and assurance of design basis conformance—are critical to the Restart Team's determination of whether Palisades can safely return to operation.

Accordingly, I request that the NRC complete the following actions prior to authorizing the receipt and loading of reactor fuel and before the Palisades Restart Panel begins deliberations based on Holtec's readiness assertions regarding restart approval.

Before Fuel Receipt and Loading:

1. **Require Holtec to resubmit** the July 1, 2025 *Notification of Readiness for Transition to Power Operations Licensing Basis* letter (ML25182A066) under oath or affirmation, consistent with NRC regulations and guidance;
2. **Suspend the effectiveness** of the license amendments and exemption issued on July 24, 2025 (as described in NRC

Commission Staff Notification ML25205A193), until such time as the July 1, 2025 letter is properly submitted under oath or affirmation;

3. Evaluate whether the absence of an oath or affirmation

undermines the validity of NRC Staff's reliance on the July 1, 2025 letter in conditioning the effective date of fuel receipt, fuel loading, and operational authorization;

Before Palisades Restart Panel Consideration or Approving Reactor Operation

4. Complete a supplemental inspection under NRC Inspection Procedure, *Evaluations of Changes, Tests, and Experiments*, to independently assess Holtec's implementation of 10 CFR 50.59 at Palisades and ensure licensing basis changes are being properly evaluated and controlled and to provide assurance the extent of condition from the violations at the Camden Corporate office do not extend to the Palisades restart;
5. Complete a Design Bases Assurance Inspection under NRC Inspection Procedure to verify that key systems, structures, and components required for safe operation are being maintained in

conformance with the plant's current licensing basis prior to restart to provide assurance the extent of condition from the violations at the Camden Corporate office do not extend to the Palisades restart.

These actions are necessary to ensure regulatory integrity, reinforce NRC expectations for licensee accountability, and provide public confidence in the safety of the restart process.

III. BASIS FOR THE PETITION

The NRC Commission Staff Notification to the Full Commission dated July 24, 2025 (ML25205A193) states:

*"Although the Staff issued these actions today, the license amendments and exemption are conditioned such that the plant cannot return to an operational status and would not be authorized to receive or load fuel earlier than August 25, 2025. **This is in line with the licensee's July 1, 2025, Notification of Readiness for Transition to Power Operations Licensing Basis letter (ML25182A066).**"*

This statement demonstrates that the NRC staff relied on Holtec's July 1, 2025 letter in conditioning the effective date of critical licensing actions. However, the letter was not submitted under oath or affirmation and did not include the required language for an unsworn declaration under penalty of perjury.

While the July 1 letter may not constitute a formal license amendment application, its use by the Commission as a regulatory trigger—linking its contents to the effectiveness of licensing actions—elevates its status to one that meets the threshold described in NRC guidance and regulatory policy as requiring certification.

10 CFR 50.30(b)(1) states: *"Each application for a license, including amendments to a license, must be signed by the applicant or licensee or a duly authorized officer thereof under oath or affirmation."* **10 CFR 50.30(b)(2)** extends that requirement to communications that relate to the application or license.

Regulatory Issue Summary 2001-18 (ML010990211), *"Requirements for Oath or Affirmation Statements in Accordance with 10 CFR Part 50 and Part 72"*, explains:

"Documents submitted to the NRC which are docketed and used to support licensing actions must be submitted under oath or affirmation. This includes requests for licensing actions and responses to requests for additional information that will be used in preparation of a safety evaluation."

Although RIS 2001-18 emphasizes safety evaluations and licensing applications, it articulates a principle that when a licensee submittal is cited or relied upon to justify NRC regulatory action, that submittal must carry the same formal certification protections to ensure accuracy and accountability.

Regulatory Issue Summary 2001-05 (ML010040446), *"Guidance on Submitting Documents to the NRC by Electronic Information Exchange or on CD-ROM"*, further clarifies that when the oath requirement is fulfilled electronically, it must comply with **28 U.S.C. § 1746**, stating:

"An unsworn declaration under penalty of perjury (pursuant to 28 U.S.C. §1746) may be used in lieu of a notarized oath or affirmation for documents transmitted electronically, provided that the declaration includes the following statement:

"I declare under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)."

28 U.S.C. §1746 provides:

"I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)"

The July 1, 2025 submittal from Holtec did not include this statement and was not notarized or otherwise sworn. Yet it was explicitly used by NRC staff to define and approve the start date for NRC-issued exemptions and license amendments, creating a binding effect.

Therefore, even if the July 1 Holtec letter is not a license amendment or safety evaluation by itself, once it is **relied upon by the NRC to trigger licensing authority**, it becomes subject to the oath or affirmation requirement under NRC rules and guidance.

IV. ADDITIONAL BASIS: RELIANCE ON LICENSEE ASSERTIONS FOR SYSTEM RESTORATION

Holtec's September 2023 License Amendment Request and Specific Exemption Request (ML23271A140), submitted to support reversal of the 10 CFR 50.82 certifications, states in Sections 4.2 and 4.3 that the requested exemption:

"does not result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission's regulations... In Reference 16, the Commission recognized that the existing regulatory framework supports resumption of power operations after docketing the 10 CFR 50.82(a)(1) certifications. Therefore, the exemption is authorized by law."

To meet the public health and safety criterion, Holtec adds:

"Additionally, NRC inspection activities during development and implementation of the return to service plans provide added assurance that SSCs will function as required by the reinstated POLB."

However, unlike Holtec took credit for in its specific exception request, NRC inspection practices do not constitute 100% verification of licensee claims. Instead, consistent with NRC Inspection Manual Chapter 0610 and Inspection Procedure 71111.21M, the NRC uses a risk-informed sampling

approach and relies upon the completeness and accuracy of licensee statements unless there is reason to question them. This means that the **entire NRC safety basis for approving the exemption depends on the credibility of Holtec's own restoration assertions, not NRC inspections**—assertions which, in the case of the July 1, 2025 readiness letter, were made without any sworn attestation.

The NRC Commission's July 24, 2025 notification (ML25205A193) confirms that the timing and effectiveness of the approved exemption and license amendments are directly tied to the licensee's self-declared readiness. Without a formal oath or affirmation attached to that submittal, there is no enforceable assurance that the representations made in the July 1 letter can be relied upon under 10 CFR 50.9 (Completeness and Accuracy of Information).

Therefore, the July 1, 2025 notification must be resubmitted under oath or affirmation to restore the integrity of the NRC's licensing decision and confirm the legitimacy of Holtec's representations regarding the readiness of plant systems, structures, and components.

**V. ADDITIONAL BASIS: NRC FINDINGS OF SYSTEMIC DESIGN
CONTROL VIOLATIONS AT HOLTEC and Need For More NRC
Inspections**

The NRC's July 18, 2025 inspection report and Notice of Apparent Violations (ML25177C973) document systemic deficiencies in Holtec's Camden Corporate Office design control and corrective action processes under 10 CFR Part 72. These deficiencies reinforce concerns raised in this petition by demonstrating that Holtec has a recent and well-documented history of submitting incomplete, unverified, or erroneous technical information without proper procedural or design controls.

Specifically, the NRC identified five apparent violations, including:

- 1. Failure to obtain a Certificate of Compliance amendment** under 10 CFR 72.244 before making a design change to the HI-STORM FW overpack that introduced the possibility of a malfunction with results not previously evaluated in the FSAR.
- 2. Failure to apply design control measures** under 10 CFR 72.146 consistent with those used for the original design.

3. **Failure to complete required written evaluations** under 10 CFR 72.48(d)(1) justifying licensing basis decisions.
4. **Failure to reanalyze design changes using updated analytical methods** and document conservatism relative to the FSAR.
5. **Failure to promptly identify and correct a condition adverse to quality** under 10 CFR 72.172, including the use of incorrect material properties in a critical stress analysis relied upon in multiple licensing bases.

The NRC concluded that **Holtec failed to recognize that its design changes altered previously non-credible accident conditions into credible events without proper analysis or prior NRC approval.** The agency's inspection team further determined that Holtec's **internal quality assurance and corrective action programs failed to detect or correct these violations in a timely manner,** some of which had persisted since 2021. Holtec Quality assurance and corrective actions are under the same corporate governance for both Camden Corporate and Palisades restart.

These failures at Holtec's Camden Corporate Office are directly relevant to the issue raised in this petition: Holtec's July 1, 2025 readiness letter was

submitted without oath or affirmation, yet was relied upon by NRC staff as the regulatory trigger for authorizing license effectiveness. That letter includes critical determinations related to design control, configuration management, and unreviewed safety question (USQ) evaluations—the same areas found deficient at the Camden facility. The NRC’s own inspection reports now confirm a broader pattern of unreliable and improperly documented regulatory submissions by Holtec, reinforcing the need for sworn certification and heightened NRC inspection oversight of Holtec Palisades status submittals.

The NRC’s inspection findings at Holtec International’s corporate office in Camden, New Jersey—are not operationally or administratively distinct from the licensing and restart activities at Palisades. A direct connection exists through Jean Fleming, Holtec’s Vice President of Licensing, Regulatory Affairs, and Probabilistic Safety Analysis and the Excessive Oversight Committee. Fleming signed the July 1, 2025 Palisades Nuclear Plant – Notification of Readiness for Transition to Power Operations Licensing Basis letter— used by NRC staff for decision making regarding fuel receipt and reload.

Her presence in both the NRC inspection Camden Corporate Office report and signing the July 1 letter, the subject of this petition, establishes that

the same senior corporate officials responsible for quality and licensing at Camden are also responsible for the decisions underpinning the Palisades restart. Moreover, NRC document ML23340A161 confirms that Palisades' Quality Assurance functions report directly to Ms. Fleming. That same filing describes her as overseeing licensing, permitting, and compliance for Holtec's decommissioning, dry storage, and small modular reactor projects.

Fleming has also routinely submitted official documents to the NRC on behalf of Palisades, including the July 1 submittal, the subject of this petition. Her central role across Holtec's regulated business units—including the functions cited in the recent NRC inspection report of Camden Corporate Office—confirms that the regulatory deficiencies identified at Camden are institutionally embedded and highly relevant to the Palisades licensing effort.

This concern is further amplified by Holtec's internal corporate structure, as documented in ML23340A161, which confirms that Holtec Power—through its Executive Committee—exercises direct oversight and control over both Holtec International and Holtec Palisades (referred to as OPCO). This same Executive Committee governs the officers responsible for licensing, including the Vice President of Licensing and Regulatory Affairs

who signed the July 1, 2025 Notification of Readiness. Holtec explicitly affirms that this group exercises corporate parent approval authority for both Camden and Palisades operations. Therefore, any inconsistencies or omissions in licensing communications originating from Holtec's Camden corporate office are institutionally linked to the July 1 Palisades licensing status. This reinforces the need for heightened NRC scrutiny and sworn affirmation of future licensing basis declarations, and additional NRC Inspections to ensure accountability and regulatory integrity.

Therefore, the absence of a sworn declaration under 10 CFR 50.30(b) and 28 U.S.C. § 1746 for the July 1 letter is not a trivial oversight. It leaves the NRC's decision to proceed with fuel loading without any enforceable guarantee that the licensee's representations are accurate, complete, or legally binding—an unacceptable condition given Holtec's documented deficiencies in licensing compliance and safety-related evaluations.

First, the NRC should not permit fuel reload or reactor operation based on unsworn, procedurally defective submittals from a licensee with an active record of apparent violations involving incomplete evaluations, flawed quality assurance, and unauthorized licensing basis changes.

Second, before the NRC Palisades Restart Panel convenes to consider approval of Palisades restart, for all the reasons outlined above—including Holtec’s pattern of contradictory or unsupported statements, the lack of sworn certification for licensing declarations, and the organizational overlap between Holtec’s Camden corporate office and Palisades—Petitioner respectfully submits that these issues support the need for the NRC to take the specific actions requested in this petition. In particular, the NRC should complete a supplemental inspection under **Inspection Procedure “Evaluations of Changes, Tests, and Experiments”** to independently assess Holtec’s implementation of 10 CFR 50.59 at Palisades and verify that licensing basis changes are being properly evaluated, documented, and controlled. Additionally, the NRC should conduct a **Design Bases Assurance Inspection** to confirm that the key systems, structures, and components required for safe operation are being maintained in full conformance with the current licensing basis prior to restart. These inspections are essential to restoring confidence in the integrity of Holtec’s licensing process and ensuring public health and safety are protected before nuclear fuel is received or loaded.

VI. ADDITIONAL BASIS: Alleged, Material False Statement

The need for Holtec’s July 1, 2025 “Notification of Readiness” to be submitted under oath or affirmation is further supported by Holtec’s recent communication history, which includes an alleged material false statement made during NRC public observation meeting in direct response to NRC staff questioning. These instances raise reasonable doubt about the reliability of licensee assertions made without legal attestation.

For example, a separate 10 CFR 2.206 petition—currently pending NRC review—highlights that during an August 1, 2024 NRC public observation meeting, Holtec stated that all 22 NFPA-805 fire protection modifications at Palisades would be completed prior to plant restart. That assertion was made during a formal NRC-hosted meeting and was cited by NRC Staff in a subsequent public response on October 18, 2024 (ML24291A244), indicating that the NRC relied on Holtec’s statement to inform public understanding of restart conditions.

However, a year later, in a June 24, 2025 License Amendment Request (ML25175A275), Holtec stated that at least two of those modifications (S2-13 and S2-15) would not, in fact, be completed prior to restart and instead were being proposed for deferral. Over a period of a year, Holtec did not publicly revise or clarify its earlier statement during the intervening months. While Holtec may have updated internal planning assumptions or

timelines over that period, the absence of a corrective statement raises, earlier, raises serious concern about the transparency and accuracy of unsworn licensee communications used by the NRC to support regulatory actions or to respond to public inquiries.

This example does not allege that Holtec's July 1, 2025 “Notification of Readiness for Transition to Power Operations Licensing Basis” report is false at the time it was made—but it does show that statements made by Holtec have not always been updated or reconciled with subsequent regulatory filings, even when the information was material to licensing decisions. That pattern reinforces why submittals like the July 1, 2025 readiness letter—used by NRC Staff to condition the effectiveness of license amendments and exemptions, and used by the NRC staff to provide update reports to the Commission—must carry the enforceability of a sworn certification.

Inconsistencies like these do not just raise technical concerns; they cast doubt on whether NRC licensing decisions are being grounded in timely, traceable, and enforceable representations. Requiring sworn affirmation of key licensing basis declarations is necessary to ensure that both the NRC and the public can rely on the integrity of licensee statements, especially in proceedings involving public health and safety.

This concern is further amplified by Holtec’s internal corporate structure, as documented in ML23340A161, which confirms that Holtec Power—through its Executive Committee—exercises direct oversight and control over both Holtec International and Holtec Palisades (referred to as OPCO). This same Executive Committee governs the officers responsible for licensing, including the Vice President of Licensing and Regulatory Affairs who signed the July 1, 2025 Notification of Readiness. Holtec explicitly affirms that this group exercises corporate parent approval authority for both Camden and Palisades operations. Therefore, any inconsistencies or omissions in licensing communications originating from Holtec’s Camden corporate office are institutionally linked to the Palisades licensing basis. The extent of condition reviews of Camden Corporate NRC violations must be extended to the Holtec Palisades restart. This reinforces the need for heightened NRC scrutiny and sworn affirmation of future licensing basis declarations to ensure accountability and regulatory integrity.

VI. ADMISSIBILITY OF This PETITION

This petition meets the admissibility criteria of Management Directive 8.11, “Review Process for 10 CFR 2.206 Petitions” and is supported by prior ASLB orders:

- **The facts that constitute the basis for taking the enforcement action are identified:** The July 1, 2025 Notification by staff to the full Commission of Readiness (ML25182A066) was relied upon by the NRC to condition key licensing actions but was not submitted under oath or affirmation.
- **The action requested is within NRC's authority and has a direct nexus to NRC-regulated activities:** NRC may enforce its procedural regulations, suspend previously issued licensing actions, and require corrected submissions.
- **The requested enforcement action is not frivolous or clearly outside the NRC's jurisdiction:** Ensuring procedural integrity in licensee submittals is within the scope of NRC's licensing and enforcement authority.

Importantly, this petition follows the procedural path expressly affirmed by the Atomic Safety and Licensing Board in its **March 31, 2025**

Memorandum and Order (LBP-25-04). In dismissing my prior §2.309 petition on procedural basis that the §2.309 was not appropriate for raising NRC staff related concerns and asking for actions. The ASLB specifically stated:

*“We recognize, given the views expressed in the written filings and at oral argument, that Joint Petitioners have concerns about the Staff’s review of this first-of-its-kind proposal to restart a shutdown nuclear plant. Although they have raised issues that are not redressable in an adjudicatory proceeding, **there are other avenues available for public participation**, including public meetings, petitions for action under **10 C.F.R. § 2.206**, and petitions for rulemaking under 10 C.F.R. § 2.802.”*

— **LBP-25-04 at 30–31**

This NSLB ruling reinforces the appropriateness and jurisdictional legitimacy of pursuing enforcement actions through the 10 CFR 2.206 process for matters not redressable in formal hearings, including concerns about procedural compliance, and public safety in the context of the Palisades restart. Therefore, this petition should not be dismissed by the NRC Petition Review Board on the grounds that these concerns are outside the proper process; **they are, in fact, exactly within the process the ASLB has recognized as applicable.**

VII. CONCLUSION

The NRC has relied upon a procedurally defective submittal in conditioning the effective date of license amendments and exemptions critical to the restart of the Palisades Nuclear Plant. As such, the public's confidence in NRC's regulatory integrity demands that Holtec's July 1, 2025 submittal be either resubmitted under oath or its use rescinded.

I respectfully request expedited review and response to this petition, as the actions at issue are now active and time-sensitive.

Respectfully submitted,

Alan Blind

July 25, 2025