

UNITED STATES
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
June 15, 2026

The Commission met in open session, pursuant to notice at 3:35 p.m., Ho K. Nieh, Chairman, presiding.

COMMISSIONERS PRESENT:

HO K. NIEH, Chairman (via teleconference)

DAVID A. WRIGHT, Member of the Commission (via teleconference)

BRADLEY R. CROWELL, Member of the Commission (via teleconference)

MATTHEW J. MARZANO, Member of the Commission (via teleconference)

DOUGLAS W. WEAVER, Member of the Commission (via teleconference)

ALSO PRESENT:

MATT POCIASK, General Counsel (via teleconference)

CARRIE M. SAFFORD, Secretary of the Commission (via teleconference)

DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on June 15, 2026, via teleconference. The meeting was open to the public. This transcript has not been reviewed, corrected or edited, and it may contain inaccuracies.

The transcript is intended solely for general information purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determination or beliefs. No pleading or other paper may be filed with the Commission in any proceeding as the result of, or addressed to, any statement or argument contained herein, except as the Commission may authorize.

[3:35]

PROCEEDINGS

CHAIRMAN NIEH: Thank you, operator. Good afternoon, I am Ho Nieh, Chairman of the Nuclear Regulatory Commission, and I am presiding over this public affirmation session, which is being conducted by teleconference.

Joining me are the other currently serving members of the Commission. May I have each Commissioner affirm their presence when I call their name:

Commissioner Wright: Here

Commissioner Crowell: Present

Commissioner Marzano: Here

Commissioner Weaver: Here

Thank you. Also participating are:

Carrie Safford, Secretary of the Commission: Here

and

Matt Pociask, NRC General Counsel: Here

Good. This meeting is open to the public to listen in.

Madam Secretary, I believe we have four items for affirmation session. Would you please lead the Commission through these items?

CARRIE SAFFORD: Yes. Good afternoon. Today's first item is SECY-25-0070 - Powertech (USA) Inc. (Dewey-Burdock in situ Uranium Recovery Facility); Appeal by Powertech (USA) Inc. of LBP-25-3.

The Commission is being asked to act on a Memorandum and Order addressing the Atomic Safety and Licensing Board's decision in LBP-25-3, which granted the request for a hearing submitted by the Oglala Sioux Tribe, the Black Hills Clean Water Alliance, and the NDN

Collective's (collectively, Organizational Petitioners). The Organizational Petitioners filed a timely hearing request with four proposed contentions related to Powertech (USA) Inc.'s application to renew its in situ uranium recovery facility license.

The Commission has voted to approve a Memorandum and Order that affirms in part and reverses in part the Board's decision. Chairman Nieh dissented in part.

Would you please affirm your votes after I call your name?

CHAIRMAN NIEH: Aye.

COMMISSIONER WRIGHT: Aye.

COMMISSIONER CROWELL: Aye.

COMMISSIONER MARZANO: Aye.

COMMISSIONER WEAVER: Aye.

CARRIE SAFFORD: Thank you. Today's second item is SECY-25-0091 - Holtec Decommissioning International, LLC and Holtec Palisades, LLC (Palisades Nuclear Plant), LA-3 (Resumption of Operations); Petitions for Review of LBP-25-4 and LBP-25-5.

The Commission is being asked to act on a Memorandum and Order addressing Beyond Nuclear, Don't Waste Michigan, Michigan Safe Energy Future, Three Mile Island Alert, and Nuclear Energy Information Service's (collectively, Petitioning Organizations) petitions for review of two Atomic Safety and Licensing Board (Board) decisions (LBP-25-4 and LBP-25-5). In these decisions, the Board denied the Petitioning Organizations' hearing request related to the application to restart the Palisades Nuclear Power Plant.

The Commission has voted to approve a Memorandum and Order denying the petitions.

Would you please affirm your votes after I call your name?

CHAIRMAN NIEH: [Aye].

COMMISSIONER WRIGHT: [Aye].

COMMISSIONER CROWELL: [Aye].

COMMISSIONER MARZANO: [Aye].

COMMISSIONER WEAVER: [Aye].

CARRIE SAFFORD: Thank you. Today's third item is SECY-26-0031 - Duke Energy Carolinas, Inc. (Oconee Nuclear Station, Units 1, 2, and 3) (Subsequent License Renewal); Appeal of LBP-25-1.

The Commission is being asked to act on a Memorandum and Order (1) responding to Beyond Nuclear and the Sierra Club, Inc.'s (Petitioners) appeal of the Atomic Safety and Licensing Board's decision denying their petition to intervene and request for hearing in this subsequent license renewal proceeding and (2) addressing the Board's referred ruling of its unpublished decision denying a motion filed by the Petitioners requesting that the Board order the disclosure of redacted Critical Energy/Electric Infrastructure Information.

The Commission has voted to approve a Memorandum and Order that (1) affirms the Board's decision on the Petitioners' hearing request; (2) takes review of the Board's referred ruling on the Petitioners' document disclosure motion; and (3) affirms the Board's dismissal of the document disclosure motion on the grounds that a Critical Energy/Electric Infrastructure Information redaction determination by the Federal Energy Regulatory Commission may not be challenged in an NRC adjudicatory proceeding.

Would you please affirm your votes after I call your name?

CHAIRMAN NIEH: [Aye].

COMMISSIONER WRIGHT: [Aye].

COMMISSIONER CROWELL: [Aye].

COMMISSIONER MARZANO: [Aye].

COMMISSIONER WEAVER: [Aye].

CARRIE SAFFORD: Thank you. Today's fourth item is SECY-26-0039 - Holtec Palisades, LLC (Palisades Nuclear Plant), LA-4 (Steam Generator Tube Sleeving), Appeal of LBP-25-6.

The Commission is being asked to act on a Memorandum and Order addressing Beyond Nuclear, Don't Waste Michigan, Michigan Safe Energy Future, Three Mile Island Alert, and Nuclear Energy Information Service's (collectively, the "Petitioners") appeal of the Atomic Safety and Licensing Board's (Board) decision in LBP-25-6. In LBP-25-6, the Board denied the Petitioners' hearing request related to Holtec Palisades, LLC's steam generator tube sleeving license amendment request.

The Commission has voted to approve a Memorandum and Order that denies the Petitioners' appeal and affirms the Board's decision.

Would you please affirm your votes after I call your name?

CHAIRMAN NIEH: [Inaudible].

COMMISSIONER WRIGHT: [Aye].

COMMISSIONER CROWELL: [Aye].

COMMISSIONER MARZANO: [Aye].

COMMISSIONER WEAVER: [Aye].

CARRIE M. SAFFORD: Thank you Chairman. That's all I have.

CHAIRMAN NIEH: Thank you, Madam Secretary. Did you miss me on the last one?

CARRIE M. SAFFORD: I thought I heard you, but just to confirm. Chairman Nieh.

CHAIRMAN NIEH: [Aye].

CARRIE M. SAFFORD: Thank you.

CHAIRMAN NIEH: I would like to offer a comment regarding my dissent in part in the Powertech matter (SECY-25-0070) and read a portion of that dissent to explain my disagreement with the majority's decision on Contentions 1A and 1B.

While I join the majority with respect to Contention 2, I dissent from the majority's denial of Powertech's appeal on Contentions 1A and 1B related to the TR/ER's cultural resources description. My dissent does not reflect on the collegiality and working relationships developed by the Commission. This Commission has worked well together to advance significant policy and rulemaking initiatives in recent months. However, I cannot join my colleagues here because there is no compelling safety or legal reason to extend these proceedings on Contentions 1A and 1B, which relitigate already resolved issues. Consequently, expending further resources on these issues conflicts with our commitment to efficiency in our Principles of Good Regulation. Rather than squarely address this appeal, the majority observes that the staff's forthcoming NEPA document, which will reflect further consultations between the parties, may resolve these issues. The majority may be "saved by the bell," but that bell may never ring. If consultation is again unsuccessful and the Staff's forthcoming environmental document relies on the initial EIS just as the TR/ER does, the agency will again face the question of whether the TR/ER's description of cultural resources is adequate. Given that the D.C. Circuit has already resolved that question, "kicking the can down the road" by conducting further proceedings on Contentions 1A and 1B is a fruitless endeavor, the adjudicatory equivalent of idling a car in the parking lot with no map, no direction, and no plan to go anywhere.

Would any of the other members of the Commission like to make comments regarding the decision we just reached?

<PAUSE>

CHAIRMAN NIEH: OK I'm not hearing any. Thank you for your participation today. I call the affirmation session to a close.

CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory

Commission entitled:

TITLE OF MEETING: Affirmation Session

(PUBLIC MEETING)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: June 15, 2026

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company.

Transcriber: Betty Thweatt

Reporter: Via Teleconference