From:	Alan Blind
To:	Marlayna Doell
Cc:	PalisadesRestartProject
Subject:	[External_Sender] Public Comments – Proposed No Significant Hazards Consideration Determination – Palisades DD41 Recovery (ML26273A469)
Date:	Thursday, October 8, 2026 7:42:16 AM
Attachments:	Holtec License Amendment Comments.pdf

NRC Project Manager Marlayne Doell,

Please accept the attached public comments concerning the NRC staff's preliminary No Significant Hazards Consideration (NSHC) determination for the proposed one-time license amendment authorizing recovery of damaged fuel assembly DD41 at the Palisades Nuclear Plant.

This submission is in response to the NRC's request for public comments posted on the MLive Public Notifications page on October 7, 2026, with comments due by 4:15 p.m. Eastern Time (ET) on October 8, 2026.

My comments address Holtec's September 30, 2026, license amendment request (PNP 2026-052, ADAMS Accession No. ML26273A469) and raise three principal concerns:

1. The adequacy of the NRC's preliminary NSHC determination, particularly whether unresolved questions concerning the original DD41 fuel-handling event have been adequately considered in evaluating the equipment, procedures, personnel, and administrative controls proposed for this unprecedented recovery.

2. The justification for exigent processing, including whether the asserted urgency is supported by actual restart prerequisites and whether abbreviated public participation is appropriate under the circumstances.

3. The radiological consequence evaluation, including Control Room dose assumptions, potential exposure to recovery personnel, and the distinction between acceptable accident consequences and adequate accident prevention.

My overriding concern is that demonstrating compliance with bounding radiological accident-dose criteria is not equivalent to demonstrating that an accident will be adequately prevented.

Given the circumstances of the original DD41 event, I believe the NRC's final determination must explicitly address the adequacy of the accident-prevention measures relied upon for this first-of-a-kind recovery.

I respectfully request that these comments be included in the official record, considered before the NRC finalizes its NSHC determination, and addressed in the staff's evaluation of the proposed amendment.

Please acknowledge receipt of this submission.

Thank you for your consideration.

Respectfully,

Alan Blind
Baroda, Michigan

Public Comments on the NRC Staff's Preliminary No Significant Hazards Consideration Determination

Palisades Nuclear Plant — Proposed DD41 Fuel Assembly Recovery

Holtec License Amendment Request: PNP 2026-052, September 30, 2026
ADAMS Accession Number: ML26273A469
Applicable Regulations: 10 CFR 50.92(c) and 10 CFR 50.91(a)(6)

Overall Summary of Comments

These three comments are directed to the Nuclear Regulatory Commission (NRC) staff's preliminary determination that Holtec's proposed one-time recovery of damaged fuel assembly DD41 involves No Significant Hazards Consideration (NSHC).

Although each comment addresses a different aspect of the proposed license amendment, they share a fundamental concern: the NRC's preliminary determination places substantial reliance on the acceptability of calculated accident consequences without adequately explaining how the circumstances that caused the original DD41 event have been considered in evaluating the safety of the proposed recovery.

Comment 1 — Accident Prevention and the Adequacy of Recovery Controls

This is the overriding safety concern. The proposed recovery is necessary because an abnormal event occurred during what should have been a routine reactor core-loading evolution. That event raises fundamental questions concerning fuel-handling equipment, design and modification controls, procedures, administrative controls, supervisory oversight, human performance, and corrective actions.

The proposed recovery is substantially different from routine refueling. Reliance on existing refueling procedures and controls does not, by itself, demonstrate that those controls are adequate for an unprecedented recovery involving damaged fuel, specialized equipment, and nonstandard lifting and transfer operations.

The NRC must establish whether conditions that contributed to the original event could also affect the proposed recovery and whether the measures credited to prevent another accident have been adequately verified.

Comment 2 — Exigent Processing and the Public Interest

Holtec's stated urgency is principally associated with avoiding delays in returning Palisades to power operation. Yet Holtec reports that DD41 is stable and under continuous surveillance, while its public statements acknowledge that other restart activities remain outstanding.

The NRC should establish whether DD41 recovery actually controls the projected restart date, whether the circumstances justify exigent processing, and whether the abbreviated opportunity for public participation is warranted.

Although exigent processing is governed separately by 10 CFR 50.91(a)(6), the decision to abbreviate review and public participation is particularly consequential when the adequacy of accident-prevention measures is central to the proposed NSHC determination.

Comment 3 — Radiological Consequences and Personnel Protection

Holtec's calculated accident doses remain within applicable regulatory acceptance criteria. However, the calculated Control Room dose is approximately 61 percent of its 5-rem criterion, and the submitted radiological consequence calculation does not separately quantify potential accident exposure to personnel directly performing the recovery.

These matters warrant specific NRC consideration, particularly because **compliance with bounding accident-dose criteria does not establish the reliability of the equipment, procedures, personnel, and administrative controls intended to prevent the accident.**

Central Concern

Demonstrating that the radiological consequences of a postulated accident remain within regulatory acceptance criteria is not the same as demonstrating that the accident will be adequately prevented.

A bounding accident analysis cannot substitute for rigorous engineering, comprehensive procedures, personnel training and demonstrated proficiency, independent safety review, or the thoroughness expected of the NRC's license amendment review process.

The extraordinary circumstances that necessitated this first-of-a-kind recovery demand heightened regulatory scrutiny, particularly of the controls intended to prevent another fuel-handling accident.

I request that the NRC address all three comments before finalizing its NSHC determination and approving the proposed license amendment.

Comment 1 — Adequacy of Accident-Prevention Measures and the No Significant Hazards Consideration Determination

1.1 The Overriding Safety Concern

The NRC's preliminary NSHC determination does not adequately confront the most troubling aspect of Holtec's proposed DD41 recovery: this extraordinary, first-of-a-kind operation is necessary because normal fuel-handling activities resulted in a serious abnormal event whose underlying causes and potential programmatic implications have not been publicly resolved.

Rather than examining how potential deficiencies in equipment design, administrative controls, supervisory oversight, procedures, or human performance may have contributed to the original DD41 event—and whether similar deficiencies could compromise the proposed recovery—the NRC's preliminary determination places substantial emphasis on Holtec's bounding accident analysis.

Demonstrating that the radiological consequences of a postulated accident remain within regulatory acceptance criteria is not the same as demonstrating that the accident will be adequately prevented.

A bounding accident analysis cannot substitute for rigorous engineering, comprehensive procedures, personnel training and demonstrated

proficiency, independent safety review, or the thoroughness expected of the NRC's license amendment review process.

The circumstances that necessitated this unprecedented recovery demand heightened regulatory scrutiny—not an abbreviated review justified primarily by acceptable accident consequences.

The NRC must establish that the equipment, procedures, personnel, and administrative controls relied upon to prevent another fuel-handling accident are adequate, particularly while questions concerning the causes and potential programmatic implications of the original event remain unresolved.

1.2 The Original DD41 Event and Its Safety Implications

On August 30, 2026, during reactor core loading, fuel assembly DD41 tilted approximately 30 degrees after being released by the refueling machine. The assembly sustained damage that prevents recovery using normal fuel-handling methods.

Holtec now proposes a first-of-a-kind, one-time recovery using specially designed equipment, multiple lifting and rigging evolutions, and an alternative fuel-transfer path that departs from the plant's existing licensing basis.

The NRC staff's preliminary determination places considerable emphasis on Holtec's conclusion that the proposed recovery is bounded by the existing fuel-handling accident analysis and that alternative equipment and administrative controls provide protection equivalent to normal fuel-handling methods.

However, the DD41 recovery is not a normal fuel-handling evolution, and the circumstances that made this extraordinary recovery necessary cannot be separated from the evaluation of its safety significance.

The original event raises fundamental questions regarding the adequacy of Holtec's fuel-handling equipment, procedures, administrative controls, human performance, and management oversight.

These questions are directly relevant to the proposed recovery because the NRC must determine whether deficiencies that contributed to the original event could also compromise the recovery operation.

1.3 Existing Refueling Procedures Do Not, by Themselves, Establish Adequate Recovery Controls

Of particular concern is any characterization of the proposed DD41 recovery as an evolution adequately governed by existing refueling procedures and controls.

The recovery is not a routine refueling operation. It involves a damaged and tilted fuel assembly, specially designed recovery equipment, multiple lifting and rigging configurations, and a fuel-transfer path that differs from the plant's existing licensing basis.

Existing refueling procedures and administrative controls may provide a foundation for portions of the recovery. However, their existence does not establish their adequacy for this unprecedented evolution.

Indeed, the original DD41 event occurred during activities conducted under the plant's established fuel-handling program.

The NRC should not accept reliance on existing refueling procedures and controls as evidence of equivalent protection without independently establishing their applicability, identifying their limitations, and verifying the additional engineering and procedural safeguards necessary for the proposed recovery.

The following questions therefore warrant specific consideration.

1. Cause and Corrective Action

Has the root cause of the DD41 event been established, its extent of condition determined, and corrective actions sufficient to prevent recurrence implemented, consistent with 10 CFR Part 50, Appendix B, Criterion XVI?

Have Holtec and the NRC determined whether the causes or contributing factors of the original event could affect the proposed recovery?

Have appropriate corrective actions been incorporated into the recovery plan, and has their effectiveness been verified to the extent necessary for the recovery?

2. Equipment Design and Modification Control

Has the NRC independently verified the adequacy of the design, testing, protective features, and 10 CFR 50.59 review associated with the recently installed Refueling Machine and upgraded Fuel Handling System?

Which of these systems, components, design assumptions, protective features, or equipment interfaces will be relied upon during the DD41 recovery?

Have deficiencies or unresolved questions concerning the original equipment been evaluated for their potential effect on the design, testing, and operation of the specialized recovery equipment?

The NRC should establish whether equipment or design-control deficiencies associated with the original event could carry forward into the proposed recovery.

3. Procedural and Administrative Controls

Were the original procedures, acceptance criteria, indications, interlocks, and supervisory controls adequate to establish that DD41 was properly positioned, fully seated, and stable before the grapple was disengaged?

Which of these procedural and administrative controls will be carried forward into the recovery operation?

How has Holtec demonstrated that controls developed for routine fuel handling are appropriate for a damaged, tilted assembly requiring nonstandard lifting, rigging, and transfer operations?

Have recovery-specific procedures, hold points, independent verifications, acceptance criteria, and contingency actions been developed and validated to address the limitations of existing procedures?

The NRC should establish whether the proposed recovery procedures have been independently reviewed and whether personnel have demonstrated the ability to execute them under anticipated and credible abnormal conditions.

4. Human Performance, Work Hours, and Management Oversight

Have the potential contributions of operator performance, supervisory oversight, communications, workload, schedule pressure, and fatigue to the original event been evaluated?

This question is particularly relevant in view of the NRC's August 12, 2026, exemption permitting less restrictive work-hour limitations for certain Operations personnel during core loading.

Will personnel performing, directing, or supporting the DD41 recovery be subject to that exemption or similar work-hour arrangements?

If so, what additional controls will ensure that fatigue, extended work hours, schedule pressure, and supervisory workload do not adversely affect performance during this first-of-a-kind operation?

Have the personnel involved demonstrated proficiency through recovery-specific training, walkthroughs, and appropriate simulations?

Have the responsibilities and authorities of operators, supervisors, engineering personnel, radiation protection personnel, and management been clearly established for each phase of the recovery?

1.4 Relationship Between the Original Event and the Proposed Recovery

These are not peripheral questions. They directly concern the reliability of the equipment, personnel, procedures, management systems, and administrative controls upon which Holtec now relies to justify the proposed recovery.

The occurrence of the original DD41 event does not, by itself, establish that each of these controls failed.

However, until the causes and extent of the event are understood, there remains an unresolved question whether the same equipment deficiencies, procedural weaknesses, human-performance factors, or management practices could adversely affect the proposed recovery.

The central issue is not whether Holtec has existing refueling procedures and administrative controls. It is whether those controls have been demonstrated to be adequate for this fundamentally different operation, particularly when their effectiveness during the original fuel-handling evolution remains in question.

Before finalizing its NSHC determination, the NRC should independently establish which existing controls are applicable, which require modification or supplementation, and what additional safeguards are necessary to provide reasonable assurance that the proposed recovery can be performed safely.

1.5 Limitations of the Bounding Accident Analysis

The NRC's preliminary determination states that the proposed recovery equipment and administrative controls provide protection equivalent to normal fuel-handling methods.

Yet the abnormal event occurred during those normal fuel-handling activities.

The NRC must therefore establish why the controls proposed for this substantially more complex evolution provide reasonable assurance of safety, particularly if the adequacy of the original controls remains under investigation.

The bounding radiological consequence analysis is an important part of this evaluation, but it principally addresses the consequences of a postulated accident.

It does not, by itself, establish the reliability of accident-prevention measures or resolve whether organizational, equipment, procedural, and human-performance conditions that contributed to the original event have been corrected.

Under 10 CFR 50.92(c), the NRC must determine whether the proposed amendment:

1. Significantly increases the probability or consequences of an accident previously evaluated;
2. Creates the possibility of a new or different kind of accident; or
3. Significantly reduces a margin of safety.

For this amendment, the accident-probability, new-or-different-accident, and margin-of-safety findings deserve scrutiny independent of the calculated radiological consequences.

The fact that a postulated accident remains within established dose acceptance criteria does not establish that the likelihood of an accident during this unusual recovery operation has been adequately addressed.

The first-of-a-kind, one-time nature of this evolution should demand increased rigor in engineering, independent review, procedure development, training, contingency planning, and management oversight —not reduced scrutiny because the operation will be performed only once.

Comment 1 Conclusion

My concern is not that a bounding accident analysis is inappropriate. It is that regulatory acceptability of the calculated consequences must not be treated as a substitute for demonstrating the adequacy of accident prevention.

Until the NRC establishes that the conditions contributing to the original fuel-handling event have been adequately understood and addressed as they relate to the proposed recovery, I question whether the staff has a sufficient basis to finalize its finding that this extraordinary operation involves no significant hazards consideration.

Comment 2 — Public Interest and Justification for Exigent Processing

2.1 Restart Schedule Urgency Versus Public Safety

Holtec's justification for expedited processing of the DD41 License Amendment Request rests principally on its assertion that delaying approval would delay activities necessary to return Palisades to power operation.

The urgency of Holtec's restart schedule should not be confused with an emergency involving public health and safety, nor should it automatically justify abbreviating regulatory review and meaningful public participation.

In Section 2.4 of its September 30, 2026, application, Holtec states that the DD41 event was unforeseen and that delaying approval would delay activities necessary to restore the plant to power operation.

However, Holtec's application also reports that DD41 is stable, has exhibited no further movement, is subject to compensatory stabilization measures, and remains under continuous camera surveillance.

The application does not identify an immediate radiological or physical threat requiring recovery on the expedited schedule requested by Holtec.

The proposed recovery is an extraordinary evolution involving damaged irradiated fuel, specially designed lifting and transfer equipment, multiple rigging operations, and movement along a path not previously authorized by the plant's licensing basis.

Furthermore, as discussed in Comment 1, the original event raises unresolved questions concerning equipment design, procedural adequacy, administrative controls, supervisory oversight, and human performance.

Under these circumstances, the public interest is not adequately addressed merely by demonstrating that expedited approval would avoid further delay in restarting Palisades.

The public also has a substantial interest in ensuring that the causes of the original event are understood, that the proposed recovery has

been independently and rigorously evaluated, and that the personnel responsible for performing this unprecedented evolution are adequately prepared.

2.2 DD41 Recovery Has Not Been Established as the Only Remaining Impediment to Restart

Holtec's justification for expedited processing implies that prompt approval of the DD41 recovery amendment is necessary to avoid delaying an otherwise imminent return to power operation.

That implication has not been substantiated by Holtec's public statements concerning the remaining work necessary for restart or by the NRC's established restart oversight process.

NRC Inspection Manual Chapter 2562 establishes a comprehensive process for evaluating the readiness of a previously shut-down reactor to resume operations.

This process includes applicable inspections, licensing activities, operational-readiness assessments, and review by the NRC Restart Panel and appropriate NRC management.

Although Palisades has received authorization to restore its power-operations licensing basis, that authorization should not be confused with completion of all plant-specific activities necessary to resume power generation.

I am not aware of a public NRC announcement establishing that all remaining restart-readiness determinations, inspections, testing, and applicable approvals have been completed.

More significantly, Holtec's September 21, 2026, public statement, “Progress Report on Palisades' March to Startup,” acknowledges that restart activities unrelated to DD41 continue.

Holtec identifies continuing plant testing and restoration, required modifications, preparations for subsequent operating modes, and additional commissioning activities.

Holtec also acknowledges that progression to subsequent operating modes remains dependent upon resolution of the affected fuel assembly, completion of required testing and modifications, and applicable NRC approvals.

These statements demonstrate that DD41 recovery is not the only remaining prerequisite for returning Palisades to power operation.

They do not establish whether DD41 recovery is actually controlling the projected restart date.

The NRC should therefore determine whether expedited approval would materially advance the date of restart or whether other outstanding work and regulatory activities independently govern that date.

If Palisades cannot yet resume power operation for reasons independent of DD41, what public benefit is achieved by accelerating approval of this unprecedented fuel-recovery operation at the expense of a more deliberate regulatory review?

2.3 The Circumstances and Timing of the Request

The DD41 event occurred on August 30, 2026. Holtec submitted its amendment request on September 30 and requested approval by October 2, allowing only two days for the requested NRC action.

Engineering and preparing a recovery plan may reasonably require substantial time.

Nevertheless, the NRC should establish why the circumstances now require an abbreviated regulatory process and whether the exigency could reasonably have been avoided.

The stable condition of DD41 is particularly relevant. Holtec describes compensatory measures and continuous surveillance intended to maintain the assembly in its present condition.

In the absence of a demonstrated immediate safety concern requiring prompt movement, the primary justification offered for expedited processing is the potential effect on Holtec's restart schedule.

The NRC should not permit the consequences of an abnormal event during routine refueling to become, by themselves, the justification for accelerating approval of an even more complex and potentially consequential recovery operation.

A first-of-a-kind fuel-recovery evolution involving damaged irradiated fuel warrants deliberate engineering review, independent verification, procedure validation, personnel training, contingency planning, and rigorous regulatory oversight.

Its one-time nature does not diminish those obligations.

2.4 Relationship to the NSHC Determination

Holtec requested emergency processing under 10 CFR 50.91(a)(5), while the NRC's public notice describes exigent processing under 10 CFR 50.91(a)(6).

These are distinct regulatory procedures, and the NRC should explain the basis for applying the exigent process.

I recognize that the public interest is not a separate, express legal test under 10 CFR 50.91(a)(6), and that restart-schedule impacts can be relevant to the regulatory criteria for expedited processing.

Nevertheless, the NRC should establish the factual basis for the asserted urgency rather than treating a desired restart date as sufficient justification in itself.

The relationship to the preliminary NSHC finding is important.

When a proposed amendment involves an unprecedented recovery necessitated by an abnormal event, shortening the opportunity for review and public participation increases the importance of a clear, independently supported determination concerning accident probability, accident consequences, and margins of safety.

The NRC should not allow the decision to employ exigent processing to diminish the rigor of its technical evaluation.

Comment 2 Conclusion

The central public-interest question is whether accelerating approval of the DD41 recovery serves a demonstrated public need or primarily serves Holtec's desired restart schedule.

The public interest is served not simply by returning Palisades to operation as quickly as possible, but by ensuring that this unprecedented recovery is performed only after the necessary engineering, operational, personnel, and regulatory safeguards have been adequately established and independently evaluated.

I request that the NRC address these considerations before finalizing its decision to employ exigent processing and before approving the proposed amendment.

Comment 3 — Radiological Consequences and Personnel Protection in the No Significant Hazards Consideration Determination

3.1 The Limitations of the Radiological Consequence Evaluation

The NRC staff's preliminary NSHC determination relies substantially on Holtec's radiological consequence analysis to conclude that the proposed DD41 recovery does not significantly increase the consequences of a previously evaluated fuel-handling accident.

Although the calculated doses remain within applicable regulatory acceptance criteria, compliance with those criteria should not be confused with a demonstration that the proposed recovery presents no significant safety concerns, particularly for personnel directly involved in this extraordinary operation.

As discussed in Comment 1, the overriding concern is the adequacy of accident prevention, given the circumstances of the original DD41 event and the unresolved questions concerning equipment, procedures, administrative controls, supervisory oversight, and human performance.

The radiological consequence analysis raises additional questions that warrant specific NRC consideration before finalizing the NSHC determination.

3.2 Control Room Radiological Consequences

Holtec's calculation HI-2261348, Revision 1, “Radiological Consequences of DD41 FHA at Palisades,” evaluates the consequences of a postulated fuel-handling accident during the DD41 recovery.

The calculated radiological doses for the postulated fuel-handling accident are as follows:
Control Room:

- Calculated dose: 3.0402 rem TEDE
- Acceptance criterion: 5 rem
- Percentage of criterion: 60.8%

Exclusion Area Boundary (EAB):

- Calculated dose: 0.56437 rem TEDE
- Acceptance criterion: 6.3 rem
- Percentage of criterion: 9.0%

Low Population Zone (LPZ):

- Calculated dose: 0.069735 rem TEDE
- Acceptance criterion: 6.3 rem
- Percentage of criterion: 1.1%

The Control Room is the limiting analyzed receptor relative to its applicable acceptance criterion.

Its calculated dose consists of 2.7462 rem from the postulated fuel damage and an additional 0.294 rem from radiation shine.

A calculated Control Room dose of approximately 3.04 rem Total Effective Dose Equivalent (TEDE) is not inconsequential simply because it remains below the 5-rem regulatory acceptance criterion.

It represents approximately 61 percent of the applicable dose criterion for this accident analysis.

Given this utilization of the acceptance criterion, the NRC should independently verify the assumptions and protective measures credited to maintain Control Room dose within acceptable limits during the proposed recovery.

This is especially important because the DD41 transfer involves movement of damaged irradiated fuel along an alternative path, including transportation outside the normal underwater fuel-transfer route.

3.3 Control Room Ventilation and Atmospheric Dispersion Assumptions

The radiological consequence calculation uses significantly different atmospheric dispersion factors (χ/Q) for the Control Room normal and emergency ventilation intakes.

The initial atmospheric dispersion factor for the normal intake is 6.1×10^{-3} sec/m³, compared with 8.32×10^{-4} sec/m³ for the emergency intake.

Thus, for the same modeled release, the initial atmospheric concentration represented by the normal-intake dispersion factor is approximately 7.3 times greater than that represented by the emergency-intake factor.

This difference does not translate directly into a corresponding reduction in calculated dose, because ventilation flow, filtration, timing, and other assumptions also affect the result.

Nevertheless, it demonstrates the importance of the ventilation configuration and credited protective features.

The NRC should specifically establish:

1. What release locations and atmospheric dispersion assumptions are credited during DD41 recovery and transfer.

2. What Control Room ventilation configurations, isolation actions, filtration systems, and response times are assumed.

3. Whether the necessary ventilation equipment and protective features will be available and appropriately aligned throughout the proposed evolution.

4. Whether assumptions concerning unfiltered in-leakage and operator actions accurately represent the actual plant configuration.

The NRC's preliminary NSHC determination does not explain how these assumptions were independently verified or what operational controls will ensure that the credited conditions are maintained during the recovery.

Given that the calculated Control Room dose represents approximately 61 percent of its acceptance criterion, these matters warrant explicit consideration.

3.4 Potential Accident Dose to Personnel Performing the Recovery

A particularly important limitation of HI-2261348 is the absence of a quantified accident-dose evaluation for personnel directly performing or supporting the DD41 recovery and Fuel Transfer Canister movement.

The calculation evaluates the Control Room, EAB, and LPZ.

However, personnel closest to the fuel assembly during the proposed evolution are not separately evaluated as accident-dose receptors in that calculation.

These personnel may be involved in:

- Retrieval of DD41 from its tilted position in the reactor vessel.
- Attachment and operation of the specially designed Fuel Movement Device.
- Lifting and placement of DD41 into the Fuel Transfer Canister.
- Removal and movement of the loaded canister outside the normal underwater transfer path.
- Transfer through the containment equipment hatch.
- Re-rigging, upending, and subsequent placement of the canister into the spent-fuel-pool area.

Holtec's LAR describes radiation protection measures, shielding evaluations, Radiation Work Permits, activity-specific As Low As Reasonably Achievable (ALARA) planning, and administrative controls.

These provisions are important and should be acknowledged.

However, the presence of occupational radiation protection planning does not, by itself, establish the potential accident dose to personnel who could be closest to the source during the postulated fuel-handling accident.

The NRC should determine whether a separate evaluation of these accident consequences has been performed and, if so, whether it adequately addresses direct radiation, airborne radioactivity, shielding degradation, personnel locations, evacuation times, and protective actions.

If such an evaluation has not been performed, the NRC should explain how the potential radiological consequences to these personnel have been adequately considered in authorizing the proposed recovery.

I recognize that the accident-dose acceptance criteria under 10 CFR 50.67 and Regulatory Guide 1.183 do not necessarily require the same receptor calculations for individual workers performing the evolution.

Nevertheless, the absence of a worker accident-dose calculation from HI-2261348 should not be interpreted as establishing that the potential exposure to these personnel is insignificant.

This is an important safety consideration that warrants review independently of the formal offsite and Control Room accident-dose acceptance criteria.

3.5 Bounding Accident Consequences Versus Accident Prevention

Holtec's calculation acknowledges an important uncertainty concerning the condition of DD41.

Section 3.4.2 explains that the uncertain condition of the assembly prevents a feasible determination of how many fuel rods might be damaged during the postulated accident.

Consequently, Holtec conservatively assumes that all fuel rods are damaged and uses the assembly inventory in developing the fuel-handling accident analysis.

The radiological release calculation applies prescribed assumptions concerning the releasable radionuclide inventory; it does not assume that the entire radioactive inventory of the fuel is dispersed into the environment.

This bounding approach is a legitimate method of evaluating accident consequences.

However, it does not resolve the uncertainty concerning the actual mechanical response of DD41 during a handling accident, nor does it establish the adequacy of the measures intended to prevent such an accident.

The distinction is especially important because the proposed recovery involves damaged fuel, specially fabricated handling equipment, multiple lifting configurations, and a transfer path different from the existing licensing basis.

The NRC's preliminary determination states that the proposed recovery does not significantly increase accident probability or consequences and does not create a new or different kind of accident.

The radiological consequence calculation supports an assessment of the consequences of a postulated accident.

It does not, standing alone, demonstrate the adequacy of the lifting equipment, rigging arrangements, procedural controls, personnel proficiency, or contingency measures necessary to prevent the accident.

The acceptability of a postulated accident's consequences must not become a substitute for demonstrating that the accident has been adequately prevented.

This is particularly relevant to the unresolved questions identified in Comment 1 concerning the circumstances that caused the original DD41 event.

Comment 3 Conclusion

The NRC's preliminary determination emphasizes that the calculated radiological consequences of a postulated DD41 fuel-handling accident remain within regulatory acceptance criteria.

That conclusion does not resolve the fundamental safety questions associated with this unprecedented recovery operation.

The Control Room calculation uses approximately 61 percent of its applicable acceptance criterion. The submitted radiological consequence calculation does not separately quantify potential accident dose to personnel directly performing the recovery.

Moreover, the bounding accident calculation cannot, by itself, establish that the proposed equipment, procedures, administrative controls, and personnel preparations adequately prevent the accident.

These concerns reinforce the overriding issue presented in Comment 1: the NRC must establish reasonable assurance that conditions associated with the original fuel-handling event will not compromise the safety of the proposed recovery.

For a first-of-a-kind, infrequently performed evolution involving damaged irradiated fuel, the proper regulatory emphasis must be on rigorous accident prevention as well as acceptable accident consequences.

I request that the NRC explicitly address these matters before finalizing its NSHC determination and approving the proposed DD41 license amendment.

Overall Conclusion and Requested NRC Determination

Taken together, these three comments question whether the NRC staff has established an adequate basis for its preliminary finding of No Significant Hazards Consideration.

Comment 1 remains the overriding concern: an abnormal event occurred during routine fuel handling, and the proposed recovery now relies upon equipment, personnel, procedures, and administrative controls whose applicability and adequacy for this substantially different operation must be independently established.

Comment 2 raises the additional concern that an accelerated restart schedule should not substitute for a demonstrated basis for exigent processing, particularly when other restart activities remain outstanding and the affected fuel assembly is reported to be stable.

Comment 3 establishes that acceptable calculated radiological consequences do not, by themselves, resolve questions concerning Control Room protection, recovery-personnel exposure, or the adequacy of accident-prevention measures.

The NRC should not interpret compliance with bounding radiological accident-dose criteria as resolving the distinct questions of accident probability, equipment and administrative-control reliability, the possibility of new or different accidents, or margins of safety.

Nor should the desire to avoid restart delays displace the engineering rigor, personnel preparation, and regulatory oversight appropriate to a first-of-a-kind recovery involving damaged irradiated fuel.

The central issue is not simply whether the consequences of a postulated accident remain within regulatory limits. It is whether the NRC has independently established that the proposed recovery can be performed with adequate controls to prevent the accident in the first place.

I therefore request that the NRC address these three comments in its final evaluation, document the technical and regulatory bases for its conclusions, and determine whether all three findings required by 10 CFR

50.92(c) are adequately supported before issuing the proposed license amendment.

Respectfully submitted,

Alan Blind
Baroda, Michigan