

**BEFORE THE UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

In the Matter of	)	Docket No. 50-255
Holtec Palisades LLC and Holtec Decommissioning International	)	
(Palisades Nuclear Plant Request for Exemption)	)	December 5, 2023

**PETITION TO INTERVENE AND REQUEST FOR ADJUDICATORY HEARING  
BY BEYOND NUCLEAR, DON'T WASTE MICHIGAN, AND MICHIGAN  
SAFE ENERGY FUTURE**

**PETITIONERS' DECLARATIONS 1-9**

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**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

In the Matter of	)	Docket No. 50-255
Holtec Palisades LLC and Holtec Decommissioning International	)	December 5, 2023
(Palisades Nuclear Plant Request for Exemption)	)	

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**DECLARATION OF AUTHORIZED OFFICER OF BEYOND NUCLEAR  
IN SUPPORT OF PETITION FOR LEAVE TO INTERVENE IN PALISADES  
NUCLEAR PLANT EXEMPTION REQUEST PROCEEDING**

Under penalty of perjury, I, Kevin Kamps, declare as follows:

1. I am the Radioactive Waste Specialist of Beyond Nuclear, located at 7304 Carroll Avenue, #182, Takoma Park, MD 20912, Tel. (301) 270-2209, [www.beyondnuclear.org](http://www.beyondnuclear.org). I am authorized to sign this Declaration.

2. Beyond Nuclear opposes the grant of an exemption by the Nuclear Regulatory Commission from its regulations to Holtec Palisades LLC, Holtec Decommissioning International, or any other Holtec International affiliate or subsidiary that would allow the reopening and restart of the Palisades Nuclear Plant.

3. Beyond Nuclear has over 12,000 members, one or more of whom lives within 50 miles of Palisades Nuclear Plant. Beyond Nuclear is concerned that if the NRC authorizes the proposed exemption from NRC regulations, the reopening and restart of Palisades could adversely affect public health and safety of its members, and the integrity of the physical environment in which its members live.

4. In order to ensure that the regulation exemption decision for Palisades protects the interests that Beyond Nuclear’s members have in a safe and healthy environment, Beyond Nuclear formally seeks to intervene on behalf of its members , William D. Reed and Carolyn Ferry, who have provided declarations in support of the intervention petition of which this is a part.

5. Beyond Nuclear intends, on behalf of its member(s), to take all legal actions necessary to ensure the fairness and integrity of the license amendment proceeding and to have the NRC consider all issues bearing on the safety and health of Beyond Nuclear members and the physical environment.

I hereby declare under penalty of perjury that the foregoing facts are true and correct and that any expressions of opinion are based on my judgment.

Beyond Nuclear

12/3/23  
Date

By Kevin Kamps  
Kevin Kamps, Radioactive Waste Specialist

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

In the Matter of  Holtec Decommissioning International LLC and Holtec Palisades LLC  (Palisades Nuclear Plant)	)  )  )  )	Docket No. 50-255  December 1, 2023
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**DECLARATION OF WILLIAM D. REED IN SUPPORT  
OF PETITION FOR LEAVE TO INTERVENE IN PALISADES  
NUCLEAR POWER PLANT EXEMPTION PROCEEDING**

Now comes William D. Reed and makes the following statements under penalty of perjury:

1) My name is William D. Reed. I am an adult citizen of the State of Michigan. I also am a member of Beyond Nuclear, hereafter referred to as "Petitioner."

2) My residence is located at 80015 Ramblewood Drive, Covert, MI 49043, which is located 0.75 straight-line mile from the Palisades Nuclear Plant ("Palisades"). My home is near Lake Michigan and in the warm season I walk on the beach and wade in the Lake within a few hundred yards of Palisades Nuclear Plant ("PNP"). Occasionally I go boating with friends or relatives.

3) I understand that Holtec Decommissioning International LLC (HDI) and Holtec Palisades (HP) LLC have requested exemption from portions of Nuclear Regulatory Commission regulations at 10 CFR § 50.82, *Termination of license*, ¶ (a), subparagraph (2), 10 CFR § 50.82(a)(2) for the Palisades Nuclear Plant (PNP). HDI and HP seek the exemption in order to resume power generation operations at PNP.

4) I have read many documents, consulted experts and have carefully formulated my opinions about the restoration of power generation at Palisades. I oppose the granting of the exemption by the NRC because of concerns over safety, the potential for significant damage to public health and the environment, the lack of nuclear power generation experience and controversial historical performance of the parent company, Holtec International ("Holtec"), as a corporation.

5) Before Palisades could be restored to operate, for example, there would have to be resolution of its half-century-long plague of control rod drive mechanism (CRDM) seal leakage

problems. The root cause(s) of the problem have never been established. CRDM seals are a key safety feature to protect the radioactive fuel core from damage. Palisades was permanently closed on May 20, 2022 – 11 days early – because of the latest control rod drive mechanism seal failure.

6) The Palisades reactor vessel is severely embrittled. Palisades has perennially been ranked by the NRC as having one of the most embrittled reactor vessels in the industry, one which could critically fail in the event of too-rapid heating or cooling. There has been no meaningful physical scientific assessment of the Palisades reactor vessel for more than 20 years.

7) Restoration of Palisades to operation would also require replacement of the reactor pressure vessel head and replacement of the steam generators for the second time in Palisades' history. .

8) In 1994, an NRC safety inspector, Dr. Ross Landsman, identified violations of the reactor's Safe Shutdown Earthquake Evaluation in the form of subsurface stability beneath the concrete pads for the loaded nuclear waste casks that are perched on the Lake Michigan shoreline. Both cask pads at Palisades violate NRC earthquake safety regulations.

9) Cask No. 4, the fourth dry storage cask (DSC) to be loaded with spent nuclear fuel at Palisades, has weld defects. Engineers for former plant owner Consumers Energy predicted that placing the thermally hot inner canister which contains the thermally hot SNF into the 100 degree F. indoor storage pool water while the SNF was at 400 degrees C. (750 degrees F.) could cause a steam flash and thermal shock to container and fuel. The steam flash could expose workers to radiation doses, while the thermal shock could degrade the canister and fuel, making physical conditions even worse than they already are. The spent nuclear fuel cannot be adequately cooled during the short window of time to cut into the storage cask and move it into a transfer cask. Cask No. 4 has not been opened and remediated or replace and has been left on the storage pad at Palisades in defective condition for nearly 30 years.

10) No U.S. commercial nuclear power plant has ever been restored to operations after being permanently shut down. I am not confident that necessary quality assurance record keeping nor ongoing maintenance has been performed of key systems and components since power operations were permanently ended in May 2022.

11) I am afraid that if Palisades is restored to operability there could be one or more operations incidents or accidents that will result in radiation release and that my family and I might suffer irreparable damage to our health as well as to real and personal property located at my residence.

12) I request leave to intervene in this regulatory exemption proceeding and to have my interests advanced and represented by Beyond Nuclear, a nonprofit grassroots organization that advocates against continued use of commercial nuclear power and in favor of alternative, renewable, nonnuclear energy technologies. My interests will not be adequately represented absent my legal intervention and without the opportunity of Beyond Nuclear to participate as a

full party in this exemption proceeding on my behalf.

13) Further the Declarant saith naught.

11/26/23  
Date

William D. Reed  
William D. Reed

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

In the Matter of	)	Docket No. 50-255
Holtec Decommissioning International LLC and Holtec Palisades LLC	)	December 1, 2023
(Palisades Nuclear Plant)	)	
	)	

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**DECLARATION OF CAROLYN FERRY IN SUPPORT  
OF PETITION FOR LEAVE TO INTERVENE IN PALISADES  
NUCLEAR PLANT EXEMPTION PROCEEDING**

Now comes Carolyn Ferry, declarant herein and makes the following statements under penalty of perjury:

1) My name is Carolyn Ferry. I am an adult citizen of the State of Michigan. I also am a member of Beyond Nuclear, hereafter referred to as "Petitioner."

2) My residence is located at 79964 Fernwood Drive, Covert, MI 49043, which is located 0.75 straight-line mile from the Palisades Nuclear Plant ("Palisades"). My home is near Lake Michigan and in the warm season I walk on the beach and wade in the Lake within a few hundred yards of Palisades Nuclear Plant ("PNP"). Occasionally I go boating with friends or relatives.

3) I understand that Holtec Decommissioning International LLC (HDI) and Holtec Palisades (HP) LLC have requested exemption from portions of Nuclear Regulatory Commission regulations at 10 CFR § 50.82, *Termination of license*, ¶ (a), subparagraph (2), 10 CFR § 50.82(a)(2) for the Palisades Nuclear Plant (PNP). HDI and HP seek the exemption in order to resume power generation operations at PNP.

4) I have read many documents, consulted experts and have carefully formulated my opinions about the restoration of power generation at Palisades. I oppose the granting of the exemption by the NRC because of concerns over safety, the potential for significant damage to public health and the environment, the lack of nuclear power generation experience and controversial historical performance of the parent company, Holtec International ("Holtec"), as a corporation.

5) Before Palisades could be restored to operate, for example, there would have to be resolution of its half-century-long plague of control rod drive mechanism (CRDM) seal leakage problems. The root cause(s) of the problem have never been established. CRDM seals are a key

safety feature to protect the radioactive fuel core from damage. Palisades was permanently closed on May 20, 2022 – 11 days early – because of the latest control rod drive mechanism seal failure.

6) The Palisades reactor vessel is severely embrittled. Palisades has perennially been ranked by the NRC as having one of the most embrittled reactor vessels in the industry, one which could critically fail in the event of too-rapid heating or cooling. There has been no meaningful physical scientific assessment of the Palisades reactor vessel for more than 20 years.

7) Restoration of Palisades to operation would also require replacement of the reactor pressure vessel head and replacement of the steam generators for the second time in Palisades' history. .

8) In 1994, an NRC safety inspector, Dr. Ross Landsman, identified violations of the reactor's Safe Shutdown Earthquake Evaluation in the form of subsurface stability beneath the concrete pads for the loaded nuclear waste casks that are perched on the Lake Michigan shoreline. Both cask pads at Palisades violate NRC earthquake safety regulations.

9) Cask No. 4, the fourth dry storage cask (DSC) to be loaded with spent nuclear fuel at Palisades, has weld defects. Engineers for former plant owner Consumers Energy predicted that placing the thermally hot inner canister which contains the thermally hot SNF into the 100 degree F. indoor storage pool water while the SNF was at 400 degrees C. (750 degrees F.) could cause a steam flash and thermal shock to container and fuel. The steam flash could expose workers to radiation doses, while the thermal shock could degrade the canister and fuel, making physical conditions even worse than they already are. The spent nuclear fuel cannot be adequately cooled during the short window of time to cut into the storage cask and move it into a transfer cask. Cask No. 4 has not been opened and remediated or replaced and has been left on the storage pad at Palisades in defective condition for nearly 30 years.

10) No U.S. commercial nuclear power plant has ever been restored to operations after being permanently shut down. I am not confident that necessary quality assurance record keeping nor ongoing maintenance has been performed of key systems and components since power operations were permanently ended in May 2022.

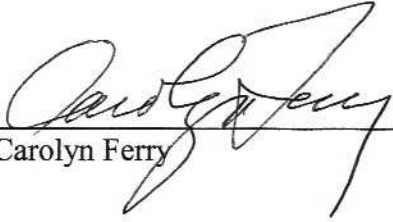
11) I am afraid that if Palisades is restored to operability there could be one or more operations incidents or accidents that will result in radiation release and that my family and I might suffer irreparable damage to our health as well as to real and personal property located at my residence.

12) I request leave to intervene in this regulatory exemption proceeding and to have my interests advanced and represented by Beyond Nuclear, a nonprofit grassroots organization that advocates against continued use of commercial nuclear power and in favor of alternative, renewable, nonnuclear energy technologies. My interests will not be adequately represented absent my legal intervention and without the opportunity of Beyond Nuclear to participate as a full party in this exemption proceeding on my behalf.



13) Further the Declarant saith naught.

11/29/23  
Date

  
Carolyn Ferry

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

In the Matter of ) Docket No. 50-255  
Holtec Palisades LLC and Holtec )  
Decommissioning International ) December 5, 2023  
)  
(Palisades Nuclear Plant Request for )  
Exemption) )  
)

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**DECLARATION OF AUTHORIZED OFFICER OF MICHIGAN SAFE ENERGY  
FUTURE IN SUPPORT OF PETITION FOR LEAVE TO INTERVENE IN PALISADES  
NUCLEAR PLANT LICENSE TRANSFER PROCEEDING**

Under penalty of perjury, I, Bette Pierman (“Declarant”), declare as follows:

1. I am the President of Michigan Safe Energy Future (“MSEF”), a Michigan grassroots organization. I am authorized to sign this Declaration.
2. MSEF opposes the grant of an exemption by the Nuclear Regulatory Commission from its regulations to Holtec Palisades LLC, Holtec Decommissioning International, or any other Holtec International affiliate or subsidiary that would allow the reopening and restart of the Palisades Nuclear Plant.
3. MSEF is a grassroots association with 10 members in southern, central and western Michigan. MSEF is headquartered at 2033 Paw Paw Avenue, Benton Harbor, MI 49022. MSEF is working to end the use of commercial nuclear power generation and engages in public education and legal and administrative advocacy in licensing proceedings. MSEF also advocates for measures to protect the health and safety of its members and the southwestern Michigan public from radiological injury.
4. In order to ensure that the license transfer/amendment decision for Palisades Nuclear Plant protects the interests of MSEF’s members in a safe and healthy environment, MSEF seeks to intervene on behalf of its members Ann Scott and James Scott, who have provided declarations in support of the intervention petition of which this is a part.
5. MSEF intends, on behalf of its members, to take all legal actions necessary to ensure the fairness and integrity of the license amendment proceeding and to have the NRC consider all issues bearing on the safety and health of MSEF members, the broader public, and the physical


environment.

6. I hereby declare under penalty of perjury that the foregoing facts are true and correct and that any expressions of opinion are based on my judgment.

7. Further Declarant saith naught.

Michigan Safe Energy Future

December 4, 2023  
Date

By   
Bette Pierman, President

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

In the Matter of  Holtec Decommissioning International LLC and Holtec Palisades LLC  (Palisades Nuclear Plant)	)  )  )  )	Docket No. 50-255  December 1, 2023
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**DECLARATION OF JAMES SCOTT IN SUPPORT  
OF PETITION FOR LEAVE TO INTERVENE IN PALISADES  
NUCLEAR PLANT EXEMPTION PROCEEDING**

Now comes James Scott and makes the following statements under penalty of perjury:

1) My name is James Scott. I am an adult citizen of the State of Michigan. I also am a member of Michigan Safe Energy Future, hereafter referred to as "Petitioner."

2) My residence is located at 80014 Ramblewood Hill, Covert, MI 49043, which is located 1.2 straight-line miles from the Palisades Nuclear Plant ("Palisades"). My home is near Lake Michigan and in the warm season I walk on the beach and wade in the Lake within a few hundred yards of Palisades Nuclear Plant ("PNP"), and I go boating with friends or relatives.

3) I understand that Holtec Decommissioning International LLC (HDI) and Holtec Palisades (HP) LLC have requested exemption from portions of Nuclear Regulatory Commission regulations at 10 CFR § 50.82, *Termination of license*, ¶ (a), subparagraph (2), 10 CFR § 50.82(a)(2) for the Palisades Nuclear Plant (PNP). HDI and HP seek the exemption in order to resume power generation operations at PNP.

4) I have read many documents, consulted experts and have carefully formulated my opinions about the restoration of power generation at Palisades. I oppose the granting of the exemption by the NRC because of concerns over safety, the potential for significant damage to public health and the environment, the lack of nuclear power generation experience and controversial historical performance of the parent company, Holtec International ("Holtec"), as a corporation.

5) Before Palisades could be restored to operate, for example, there would have to be resolution of its half-century-long plague of control rod drive mechanism (CRDM) seal leakage problems. The root cause(s) of the problem have never been established. CRDM seals are a key safety feature to protect the radioactive fuel core from damage. Palisades was permanently closed

o May 20, 2022 – 11 days early – because of the latest control rod drive mechanism seal failure.

6) The Palisades reactor vessel is severely embrittled. Palisades has periodically been ranked by the NRC as having one of the most embrittled reactor vessels in the industry, one which could critically fail in the event of too-rapid heating or cooling. There has been no meaningful physical scientific assessment of the Palisades reactor vessel for more than 20 years.

7) Restoration of Palisades to operation would also require replacement of the reactor pressure vessel head and replacement of the steam generators for the second time in Palisades' history.

8) In 1994, an NRC safety inspector, Dr. Ross Ladson, identified violations of the reactor's Safe Shutdown Earthquake Evaluation in the form of subsurface stability beneath the concrete pads for the loaded nuclear waste casks that are perched on the Lake Michigan shoreline. Both cask pads at Palisades violate NRC earthquake safety regulations.

9) Cask No. 4, the fourth dry storage cask (DSC) to be loaded with spent nuclear fuel at Palisades, has weld defects. Engineers for former plant owner Consumers Energy predicted that placing the thermally hot inner canister which contains the thermally hot SNF in to the 100 degree F. indoor storage pool water while the SNF was at 400 degrees C. (750 degrees F.) could cause a steam flash and thermal shock to container and fuel. The steam flash could expose workers to radiation doses, while the thermal shock could degrade the canister and fuel, making physical conditions even worse than they already are. The spent nuclear fuel cannot be adequately cooled during the short window of time to cut in to the storage cask and move it in to a transfer cask. Cask No. 4 has not been opened and remediated or replaced and has been left on the storage pad at Palisades in defective condition for nearly 30 years.

10) No U.S. commercial nuclear power plant has ever been restored to operations after being permanently shut down. I am not confident that necessary quality assurance record keeping or ongoing maintenance has been performed on key systems and components since power operations were permanently ended in May 2022.

11) I am afraid that if Palisades is restored to operability there could be one or more operations incidents or accidents that will result in radiation release and that my family and I might suffer irreparable damage to our health as well as to real and personal property located at my residence.

12) I request leave to interview in this license transfer and/or amendment proceeding and to have my interests advanced and represented by Michigan Safe Energy Future ("MSEF"), a grassroots association of people in western and southwestern Michigan which since 2013 has advocated for the permanent shutdown of Palisades Nuclear Plant and replacement of nuclear and natural gas power generation with safe and renewable nuclear energy technologies. My interests will not be adequately represented absent my legal intervention and without the opportunity of MSEF to participate as a full party in this exemption proceeding on my behalf.

13) Further the Declaration saith aught.

11/26/2023

Date

*R James Scott*

James Scott

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

In the Matter of	)	Docket No. 50-255
Holtec Decommissioning International LLC and Holtec Palisades LLC	)	December 1, 2023
(Palisades Nuclear Plant)	)	
	)	

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**DECLARATION OF ANN SCOTT IN SUPPORT  
OF PETITION FOR LEAVE TO INTERVENE IN PALISADES  
NUCLEAR PLANT EXEMPTION PROCEEDING**

Now comes Ann Scott and makes the following statements under penalty of perjury:

- 1) My name is Ann Scott. I am an adult citizen of the State of Michigan. I also am a member of Michigan Safe Energy Future, hereafter referred to as "Petitioner."
- 2) My residence is located at 80014 Ramblewood Hill, Covert, MI 49043, which is located 1.2 straight-line miles from the Palisades Nuclear Plant ("Palisades"). My home is near Lake Michigan and in the warm season I walk on the beach and wade in the Lake within a few hundred yards of Palisades Nuclear Plant ("PNP"). Occasionally I go boating with friends or relatives.
- 3) I understand that Holtec Decommissioning International LLC (HDI) and Holtec Palisades (HP) LLC have requested exemption from portions of Nuclear Regulatory Commission regulations at 10 CFR § 50.82, *Termination of license*, ¶ (a), subparagraph (2), 10 CFR § 50.82(a)(2) for the Palisades Nuclear Plant (PNP). HDI and HP seek the exemption in order to resume power generation operations at PNP.
- 4) I have read many documents, consulted experts and have carefully formulated my opinions about the restoration of power generation at Palisades. I oppose the granting of the exemption by the NRC because of concerns over safety, the potential for significant damage to public health and the environment, the lack of nuclear power generation experience and controversial historical performance of the parent company, Holtec International ("Holtec"), as a corporation.
- 5) Before Palisades could be restored to operate, for example, there would have to be resolution of its half-century-long plague of control rod drive mechanism (CRDM) seal leakage problems. The root cause(s) of the problem have never been established. CRDM seals are a key

safety feature to protect the radioactive fuel core from damage. Palisades was permanently closed on May 20, 2022 – 11 days early – because of the latest control rod drive mechanism seal failure.

6) The Palisades reactor vessel is severely embrittled. Palisades has perennially been ranked by the NRC as having one of the most embrittled reactor vessels in the industry, one which could critically fail in the event of too-rapid heating or cooling. There has been no meaningful physical scientific assessment of the Palisades reactor vessel for more than 20 years.

7) Restoration of Palisades to operation would also require replacement of the reactor pressure vessel head and replacement of the steam generators for the second time in Palisades' history. .

8) In 1994, an NRC safety inspector, Dr. Ross Landsman, identified violations of the reactor's Safe Shutdown Earthquake Evaluation in the form of subsurface stability beneath the concrete pads for the loaded nuclear waste casks that are perched on the Lake Michigan shoreline. Both cask pads at Palisades violate NRC earthquake safety regulations.

9) Cask No. 4, the fourth dry storage cask (DSC) to be loaded with spent nuclear fuel at Palisades, has weld defects. Engineers for former plant owner Consumers Energy predicted that placing the thermally hot inner canister which contains the thermally hot SNF into the 100 degree F. indoor storage pool water while the SNF was at 400 degrees C. (750 degrees F.) could cause a steam flash and thermal shock to container and fuel. The steam flash could expose workers to radiation doses, while the thermal shock could degrade the canister and fuel, making physical conditions even worse than they already are. The spent nuclear fuel cannot be adequately cooled during the short window of time to cut into the storage cask and move it into a transfer cask. Cask No. 4 has not been opened and remediated or replace and has been left on the storage pad at Palisades in defective condition for nearly 30 years.

10) No U.S. commercial nuclear power plant has ever been restored to operations after being permanently shut down. I am not confident that necessary quality assurance record keeping nor ongoing maintenance has been performed of key systems and components since power operations were permanently ended in May 2022.

11) I am afraid that if Palisades is restored to operability there could be one or more operations incidents or accidents that will result in radiation release and that my family and I might suffer irreparable damage to our health as well as to real and personal property located at my residence.

12) I request leave to intervene in this license transfer and/or amendment proceeding and to have my interests advanced and represented by Michigan Safe Energy Future ("MSEF"), a grassroots association of people in western and southwestern Michigan which since 2013 has advocated for the permanent shutdown of Palisades Nuclear Plant and replacement of nuclear and natural gas power generation with safe and renewable nonnuclear energy technologies. My interests will not be adequately represented absent my legal intervention and without the



opportunity of MSEF to participate as a full party in this exemption proceeding on my behalf.

13) Further the Declarant saith naught.

11-26-23  
Date

Ann Scott  
Ann Scott

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

In the Matter of	)	Docket No. 50-255
Holtec Palisades LLC and Holtec Decommissioning International	)	December 5, 2023
(Palisades Nuclear Plant Request for Exemption)	)	

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**DECLARATION OF AUTHORIZED OFFICER OF DON'T WASTE MICHIGAN IN  
SUPPORT OF PETITION FOR LEAVE TO INTERVENE IN PALISADES  
NUCLEAR PLANT EXEMPTION REQUEST PROCEEDING**

Under penalty of perjury, I, Michael Keegan, declare as follows:

1. I am the Convenor of Don't Waste Michigan (DWM), a Michigan nonprofit corporation headquartered in Monroe, Michigan, the purposes of which are to oppose continued use of commercial nuclear power and to educate and promote the spread of renewable energy and conservation. I am authorized to sign this Declaration.

2. Don't Waste Michigan opposes the grant of an exemption by the Nuclear Regulatory Commission from its regulations to Holtec Palisades LLC, Holtec Decommissioning International, or any other Holtec International affiliate or subsidiary that would allow the reopening and restart of the Palisades Nuclear Plant.

3. Don't Waste Michigan has over 40 members, one or more of whom lives within 50 miles of Palisades Nuclear Plant. DWM is concerned that if the NRC authorizes the proposed exemption from NRC regulations, the reopening and restart of Palisades could adversely affect public health and safety of its members, and the integrity of the physical environment in which its members live.

4. In order to ensure that the regulation exemption decision for Palisades protects the interests that DWM's members have in a safe and healthy environment, DWM formally seeks to intervene on behalf of its members, Joseph C. Kirk and Alice Hirt, who have provided declarations in support of the intervention petition of which this is a part.

5. Don't Waste Michigan intends, on behalf of its member(s), to take all legal actions necessary to ensure the fairness and integrity of the NRC exemption proceeding and to have the NRC consider all issues bearing on the safety and health of DWM members and the physical environment.

I hereby declare under penalty of perjury that the foregoing facts are true and correct and that any expressions of opinion are based on my judgment.

Don't Waste Michigan

12/4/2023  
Date

By Michael Keegan  
Michael Keegan, Convenor

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

In the Matter of	)	Docket No. 50-255
Holtec Decommissioning International LLC and Holtec Palisades LLC	)	December 1, 2023
(Palisades Nuclear Plant)	)	

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**DECLARATION OF LICE HIRT IN SUPPORT  
OF PETITION FOR LEAVE TO INTERVENE IN PALISADES  
NUCLEAR POWER PLANT EXEMPTION PROCEEDING**

Now comes Lice Hirt and makes the following statements under penalty of perjury:

1) My name is Lice Hirt. I am an adult citizen of the State of Michigan. I also am a member of Don't Waste Michigan, hereafter referred to as "Petitioner."

2) My residence is located at 6677 Summit View, Holland, MI 49024, which is located 37 straight-line miles from the Palisades Nuclear Plant ("Palisades"). My home overlooks Lake Michigan and in the warm season I frequently walk on the beach and wade in the Lake with my dog, and often go boating with friends or relatives.

3) I understand that Holtec Decommissioning International LLC (HDI) and Holtec Palisades (HP) LLC have requested exemption from portions of Nuclear Regulatory Commission regulations at 10 CFR § 50.82, *Termination of license*, ¶ (a), subparagraph (2), 10 CFR § 50.82(a)(2) for the Palisades Nuclear Plant (PNP). HDI and HP seek the exemption in order to resume power generation operations at PNP.

4) I have read many documents, consulted experts and have carefully formulated my opinions about the restoration of power generation at Palisades. I oppose the granting of the exemption by the NRC because of concerns over safety, the potential for significant damage to public health and the environment, the lack of nuclear power generation experience and controversial historical performance of the parent company, Holtec International ("Holtec"), as a corporation.

5) Before Palisades could be restored to operate, for example, there would have to be resolution of its half-century-long plague of control rod drive mechanism (CRDM) seal leakage problems. The root cause(s) of the problem have never been established. CRDM seals are a key safety feature to protect the radioactive fuel core from damage. Palisades was permanently closed

on May 20, 2022 – 11 days early – because of the latest control rod drive mechanism seal failure.

6) The Palisades reactor vessel is severely embrittled. Palisades has perennially been ranked by the NRC as having one of the most embrittled reactor vessels in the industry, one which could critically fail in the event of too-rapid heating or cooling. There has been no meaningful physical scientific assessment of the Palisades reactor vessel for more than 20 years.

7) Restoration of Palisades to operation would also require replacement of the reactor pressure vessel head and replacement of the steam generators for the second time in Palisades' history. .

8) In 1994, an NRC safety inspector, Dr. Ross Landsman, identified violations of the reactor's Safe Shutdown Earthquake Evaluation in the form of subsurface stability beneath the concrete pads for the loaded nuclear waste casks that are perched on the Lake Michigan shoreline. Both cask pads at Palisades violate NRC earthquake safety regulations.

9) Cask No. 4, the fourth dry storage cask (DSC) to be loaded with spent nuclear fuel at Palisades, has weld defects. Engineers for former plant owner Consumers Energy predicted that placing the thermally hot inner canister which contains the thermally hot SNF into the 100 degree F. indoor storage pool water while the SNF was at 400 degrees C. (750 degrees F.) could cause a steam flash and thermal shock to container and fuel. The steam flash could expose workers to radiation doses, while the thermal shock could degrade the canister and fuel, making physical conditions even worse than they already are. The spent nuclear fuel cannot be adequately cooled during the short window of time to cut into the storage cask and move it into a transfer cask. Cask No. 4 has not been opened and remediated or replace and has been left on the storage pad at Palisades in defective condition for nearly 30 years.

10) No U.S. commercial nuclear power plant has ever been restored to operations after being permanently shut down. I am not confident that necessary quality assurance record keeping nor ongoing maintenance has been performed of key systems and components since power operations were permanently ended in May 2022.

11) I am afraid that if Palisades is restored to operability there could be one or more operations incidents or accidents that will result in radiation release and that my family and I might suffer irreparable damage to our health as well as to real and personal property located at my residence.

12) I request leave to intervene in this license transfer and/or amendment proceeding and to have my interests advanced and represented by Don't Waste Michigan ("DWM"), a 30-year-old grassroots Michigan nonprofit corporation that works to end various incarnations of commercial nuclear power generation and radioactive waste on grounds of public health and safety, and engages in public education and legal and administrative advocacy in licensing proceedings. My interests will not be adequately represented absent my legal intervention and without the opportunity of DWM to participate as a full party in this exemption proceeding on

my behalf.

13) Further the Declarant saith naught.

12/1/2023  
Date

Alice Hirt  
Alice Hirt

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of ) Docket No. 50-255  
Holtec Decommissioning International LLC )  
and Holtec Palisades LLC ) December 1, 2023  
)  
(Palisades Nuclear Plant) )

\* \* \* \* \*

DECLARATION OF JOSEPH C. KIRK IN SUPPORT  
OF PETITION FOR LEAVE TO INTERVENE IN PALISADES  
NUCLEAR POWER PLANT EXEMPTION PROCEEDING

Now comes Joseph C. Kirk and makes the following statements under penalty of perjury:

1) My name is Joseph C. Kirk. I am an adult citizen of the State of Michigan. I also am a member of Do 't Waste Michigan, hereafter referred to as "Petitioner."

2) My residence is located at 29794 Lake Bluff, Palisades Park, MI 49043, which is located .8 straight-line mile from the Palisades Nuclear Plant ("Palisades"). My home is near Lake Michigan and in the warm season I walk on the beach and wade in the Lake within a few hundred yards of Palisades Nuclear Plant ("PNP"). Occasionally I go boating with friends or relatives.

3) I understand that Holtec Decommissioning International LLC (HDI) and Holtec Palisades (HP) LLC have requested exemption from portions of Nuclear Regulatory Commission regulations at 10 CFR § 50.82, *Termination of license*, ¶ (a), subparagraph (2), 10 CFR § 50.82(a)(2) for the Palisades Nuclear Plant (PNP). HDI and HP seek the exemption in order to resume power generation operations at PNP.

4) I have read many documents, consulted experts and have carefully formulated my opinions about the restoration of power generation at Palisades. I oppose the granting of the exemption by the NRC because of concerns over safety, the potential for significant damage to public health and the environment, the lack of nuclear power generation experience and controversial historical performance of the parent company, Holtec International ("Holtec"), as a corporation.

5) Before Palisades could be restored to operate, for example, there would have to be resolution of its half-century-long plague of control rod drive mechanism (CRDM) seal leakage problems. The root cause(s) of the problem have never been established. CRDM seals are a key

safety feature to protect the radioactive fuel core from damage. Palisades was permanently closed on May 20, 2022 – 11 days early – because of the latest control rod drive mechanism seal failure.

6) The Palisades reactor vessel is severely embrittled. Palisades has previously been ranked by the NRC as having one of the most embrittled reactor vessels in the industry, one which could critically fail in the event of too-rapid heating or cooling. There has been no meaningful physical scientific assessment of the Palisades reactor vessel for more than 20 years.

7) Restoration of Palisades to operation would also require replacement of the reactor pressure vessel head and replacement of the steam generators for the second time in Palisades' history.

8) In 1994, a NRC safety inspector, Dr. Ross Ladson, identified violations of the reactor's Safe Shutdown Earthquake Evaluation in the form of subsurface stability beneath the concrete pads for the loaded nuclear waste casks that are perched on the Lake Michigan shoreline. Both cask pads at Palisades violate NRC earthquake safety regulations.

9) Cask No. 4, the fourth dry storage cask (DSC) to be loaded with spent nuclear fuel at Palisades, has weld defects. Engineers for former plant owner Consumers Energy predicted that placing the thermally hot inner cask which contains the thermally hot SNF into the 100 degree F. indoor storage pool water while the SNF was at 400 degrees C. (750 degrees F.) could cause a steam flash and thermal shock to container and fuel. The steam flash could expose workers to radiation doses, while the thermal shock could degrade the container and fuel, making physical conditions even worse than they already are. The spent nuclear fuel cannot be adequately cooled during the short window of time to cut it to the storage cask and move it into a transfer cask. Cask No. 4 has not been opened and remediated or replaced and has been left on the storage pad at Palisades in defective condition for nearly 30 years.

10) No U.S. commercial nuclear power plant has ever been restored to operations after being permanently shut down. I am not confident that necessary quality assurance record keeping or ongoing maintenance has been performed on key systems and components since power operations were permanently ended in May 2022.

11) I am afraid that if Palisades is restored to operability there could be one or more operations incidents or accidents that will result in radiation release and that my family and I might suffer irreparable damage to our health as well as to real and personal property located at my residence.

12) I request leave to interview in this license transfer and/or amendment proceeding and to have my interests advanced and represented by Do 't Waste Michigan ("DWM"), a 30-year-old grassroots Michigan nonprofit corporation that works to end various industries of commercial nuclear power generation and radioactive waste through groups of public health and safety, and engages in public education and legal and administrative advocacy in license proceedings. My interests will not be adequately represented absent my legal intervention and



without the opportunity of DWM to participate as a full party in this ezemption proceeding on my behalf.

13) Further the Declarant saith naught.

DECEMBER 2, 2023

Date

Joseph C. Kirk  
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