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HDI PNP 2024-001

10 CFR 50.90

February 9, 2024

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Palisades Nuclear Plant
NRC Docket No. 50-255
Renewed Facility Operating License No. DPR-20

Subject: License Amendment Request to Revise Selected Permanently Defueled Technical Specifications Administrative Controls to Support Resumption of Power Operations

In accordance with Title 10 of the Code of Federal Regulations, Part 50, Section 90 (10 CFR 50.90), *Application for amendment of license, construction permit, or early site permit*, Holtec Decommissioning International, LLC (HDI), on behalf of Holtec Palisades LLC, hereby requests U. S. Nuclear Regulatory Commission (NRC) review and approval of a proposed license amendment request (LAR) to revise the Palisades Nuclear Plant (PNP) Renewed Facility Operating License (RFOL) DPR-20. The proposed LAR would revise selected sections of the Permanently Defueled Technical Specifications (PDTS) to reflect the resumption of power operations at PNP.

Specifically, this request proposes to remove definitions in the PNP PDTS Sections 1.0, *Use and Application,* and change the descriptions of staff responsibilities, organization titles, staff qualification requirements and applicable quality procedures in PDTS Section 5.0, *Administrative Controls,* to more accurately reflect PNP's resumption of power operation.

In Reference 1, Entergy Nuclear Operations, Inc. notified the NRC that it had permanently ceased operations and permanently removed fuel from the reactor vessel at PNP. Upon docketing the 10 CFR 50.82, *Termination of license*, paragraph a, subparagraph 1, 10 CFR 50.82(a)(1) certifications 10 CFR 50.82(a)(2) no longer authorizes operation of the reactor, or emplacement or retention of fuel into the reactor vessel. However, shortly after PNP transitioned to a decommissioning facility, Holtec Palisades LLC assumed ownership of PNP (Reference 2) and given the support from the Governor of the State of Michigan, HDI commenced a project to return PNP to a power operations plant. The associated licensing for this project, as described in an HDI letter dated March 13, 2023 (Reference 3), has identified the regulatory path to reinstate the power operations licensing basis (POLB) to resume power operations through a series of licensing submittals referred to as a “regulatory framework.” HDI intends to submit one additional licensing action over the next several months to reinstate the Plant POLB. In this submittal HDI proposes to restore selected sections of the PNP administrative controls technical specifications to support the resumption of power operations which is a part of this regulatory framework.

The PNP repower regulatory framework consists of this LAR, a LAR to revise PDTS technical requirements (Reference 6), an emergency plan LAR, an exemption to 10 CFR 50.82(a)(2) (Reference 4), and a license transfer order for PNP operating authority (Reference 5). To coordinate implementing this requested amendment with the other POLB licensing submittals, HDI is proposing to submit to the NRC, approximately four weeks in advance of the date that PNP plans to transition to a power operations plant (transition date), a readiness letter that will state the planned transition date and HDI's satisfaction that the implementation conditions for license transfer, 10 CFR 50.82(a)(2) exemption, and license amendments are met. Additionally, on the designated transition date, HDI will submit a notification letter to docket that PNP has transitioned from a facility in decommissioning back to a power operations plant.

HDI is currently targeting the implementation of the selected administrative controls section technical specification changes in the third quarter of 2025. To support this schedule, HDI respectfully requests that the NRC review the enclosed LAR on a schedule that that will permit approval of the proposed LAR by March 15, 2025, and that the proposed amendment become effective upon docketing the transition notification letter, with a 30-day implementation period.

The proposed changes to the PNP PDTS are in accordance with 10 CFR 50.36, *Technical specifications*, paragraph 10 CFR 50.36(c)(5).

The letter enclosure provides a detailed description and evaluation of the proposed changes to PNP PDTS. Attachment 1 to the enclosure contains a mark-up of the current RFOL and PDTS pages. Attachment 2 to the enclosure contains the retyped TS pages containing the proposed changes.

The proposed changes have been evaluated in accordance with 10 CFR 50.91(a), *Notice for public comment*, subparagraph (1), using the standards in 10 CFR 50.92, *Issuance of amendment*, paragraph (c), and it has been determined that the changes involve no significant hazards consideration. The basis for this determination is included in the enclosure.

In accordance with 10 CFR 50.91(b), *State consultation*, HDI is notifying the State of Michigan of this proposed license amendment by transmitting a copy of this letter, with its enclosure, to the designated State of Michigan official.

If you have any questions regarding this submittal, please contact Jim Miksa, regulatory assurance engineer, at (269) 764-2945.

This letter contains no new regulatory commitments and no revisions to existing regulatory commitments.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 9, 2024.

Respectfully,

Jean A. Fleming

Digitally signed by Jean A. Fleming
Date: 2024.02.09 09:43:44 -05'00'

Jean A. Fleming
Vice President, of Licensing, Regulatory Affairs & PSA
Holtec International

References:

1. Entergy Nuclear Operations, Inc. letter to U.S. Nuclear Regulatory Commission, "Certifications of Permanent Cessation of Power Operations and Permanent Removal of Fuel from the Reactor Vessel," dated June 13, 2022 (ADAMS Accession No. ML22164A067)

2. U.S. Nuclear Regulatory Commission letter to Holtec International, “Palisades Nuclear Plant and Big Rock Point Plant – Issuance of Amendment Nos. 129 and 273 re: Order Approving Transfer of Licenses and Conforming Administrative License Amendments,” dated June 28, 2022 (ADAMS Accession No. ML22173A173)

3. Holtec Decommissioning International, LLC letter to U.S. Nuclear Regulatory Commission, "Regulatory Path to Reauthorize Power Operations at the Palisades Nuclear Plant" dated March 13, 2023 (ADAMS Accession No. ML23072A404)

4. Holtec Decommissioning International, LLC letter to U.S. Nuclear Regulatory Commission, "Request for Exemption from Certain Termination of License Requirements of 10 CFR 50.82" dated September 28, 2023 (ADAMS Accession No. ML23271A140)

5. Holtec Decommissioning International, LLC letter to U.S. Nuclear Regulatory Commission, "Application for Order Consenting to Transfer of Control of License and Approving Conforming License Amendments" dated December 6, 2023 (ADAMS Accession Nos. ML23340A161, ML23340A162)

6. Holtec Decommissioning International, LLC letter to U.S. Nuclear Regulatory Commission, "License Amendment Request to Revise Renewed Facility Operating License and Permanently Defueled Technical Specifications to Support Resumption of Power Operations" dated December 14, 2023 (ADAMS Accession No. ML23348A148)

Enclosure: Evaluation of Proposed Changes

Enclosure Attachments:

1. Proposed Changes (mark-up) to Palisades Plant Renewed Facility Operating License DPR-20 and Appendix A Permanently Defueled Technical Specifications Pages
2. Page Change Instructions and Retyped Pages for the Palisades Nuclear Plant Renewed Facility License DPR-20 and Appendix A Technical Specifications

cc: NRC Region III Regional Administrator
NRC Decommissioning Inspector – PNP
NRC Project Manager PNP
Designated Michigan State Official

Enclosure

HDI PNP 2024-001

Evaluation of Proposed Changes

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EVALUATION OF THE PROPOSED CHANGES

1.0 SUMMARY DESCRIPTION

In accordance with Title 10 of the Code of Federal Regulations, Part 50, Section 90 (10 CFR 50.90), *Application for amendment of license, construction permit, or early site permit*, Holtec Decommissioning International, LLC (HDI) hereby requests U. S. Nuclear Regulatory Commission (NRC) review and approval of a proposed amendment to revise the Palisades Nuclear Plant (PNP) Renewed Facility Operating License (RFOL) DPR-20. The proposed license amendment would revise the RFOL and Appendix A, Permanently Defueled Technical Specifications (PDTS). The proposed changes remove definitions in the PNP PDTS Sections 1.0, *Use and Application,* and change the descriptions of staff responsibilities, organization titles, staff qualification requirements and quality procedures in PDTS Section 5.0, *Administrative Controls,* consistent with resumption of operation of the reactor and emplacement of fuel into the reactor vessel. The requested changes involve no significant hazards consideration. HDI requests approval of the proposed LAR by March 15, 2025, and that the proposed amendment become effective upon docketing the notification of transition to power operations letter, with a 30-day implementation period.

2.0 DETAILED DESCRIPTION

2.1 Reason for Proposed Change

In Reference 1, Entergy Nuclear Operations, Inc. notified the NRC that it decided to permanently cease operations at PNP no later than May 31, 2022. On May 20, 2022, PNP ceased operations at PNP. On June 13, 2022, certifications for permanent cessation of operations and permanent removal of fuel from the reactor vessel were submitted to the NRC in accordance with 10 CFR 50.82(a)(1)(i) and (ii), respectively, and were docketed (Reference 2). Upon docketing the 10 CFR 50.82(a)(1) certifications 10 CFR 50.82(a)(2) no longer authorizes operation of the reactor, or emplacement or retention of fuel into the reactor vessel. The regulatory framework for the reauthorization of power operations at PNP includes submitting a request for exemption from 10 CFR 50.82(a)(2) to remove the restriction that prohibits operation of the PNP reactor, or emplacement or retention of fuel into the PNP reactor vessel (Reference 3). This restriction, imposed by the voluntary docketing of the 10 CFR 50.82(a)(1) certifications, was used as the basis for licensing actions that allowed relaxation of power operation license requirements at PNP. Implementation of the NRC approved licensing actions included revising the PNP licensing basis to accurately reflect the status and reduced risk of a facility in decommissioning. No major decommissioning activities, as defined by 10 CFR 50.2, occurred at PNP to support this transition, and none have occurred since. There are no physical changes to the facility design proposed or required to support this license amendment request. This LAR along with the referenced exemption, an operating authority transfer application (Reference 9), and a LAR to the RFOL technical requirements (Reference 6) and Emergency Plan are required to support reinstatement of the PNP power operations licensing basis that was in effect just prior to the 10 CFR 50.82(a)(1) certifications.

As described above, this LAR is necessary to remove definitions, reinstate the descriptions of plant staff responsibilities, organization titles, staff qualification requirements, and quality procedures in PDTS Section 5.0, *Administrative Controls,* to support returning PNP to a power operations licensing basis (POLB). To retain a clear connection between the RFOL decommissioning license amendments (Reference 4 and Reference 5) and the license amendments to return PNP to power operations, HDI has elected to submit two separate LARs

to revise the RFOL, PDTS, and Environmental Protection Plan (EPP). One is this LAR, which reinstates certain administrative controls requirements in TS. A second LAR reinstates the applicable technical requirements in TS for resumption of power operation (Reference 6). Although both LARs must be approved and implemented prior to the resumption of power operation, they are not linked.

2.2 Description of Proposed Change

This LAR proposes to revise PDTS Section 5.0, Administrative Controls and Section 1.1, Definitions. The proposed changes are consistent with previously approved PNP power operations technical specification (POTS) that allowed emplacement of fuel into the reactor vessel and resumption of power operations at PNP. The proposed changes would revise certain requirements in Section 5.0 to add staffing, organization and procedure requirements that are necessary for power operation and revise or remove requirements that would no longer be applicable. The proposed changes to the PNP PDTS are in accordance with 10 CFR 50.36(c)(5).

3.0 TECHNICAL EVALUATION

This LAR proposes changes to the PNP PDTS to support reinstatement of power operations at PNP.

The regulatory requirements related to the content of TS are promulgated in 10 CFR 50.36, *Technical Specifications*. As detailed in a subsequent section of this LAR, this regulation describes administrative controls as the provisions relating to organization and management, quality procedures, recordkeeping, review and audit, and reporting necessary to assure safe operation of the plant. This LAR proposes changes to Section 5.0 of the PDTS, with conforming changes proposed to Section 1.1 of the PDTS, consistent with the return to power operation status of the plant.

3.1 Evaluation of the Proposed Change

HDI proposes to modify the PDTS Definitions and Administrative Controls sections as shown below. Each section that is proposed to be changed is identified, the proposed changes are shown, and the basis for each change is given. Proposed deletions are shown with strikethrough and additions are shown in bold italics. In addition, the following editorial changes are not shown in the marked-up PDTS in Attachment 1 because they do not affect the technical content of the PDTS:

- Reformatting (margins, font, tabs, line spacing, etc.) content to create a continuous electronic file,
- Renumbering of pages, where appropriate, and
- Removal of historical amendment numbers.

In the RFOL markup for the change in amendment number in License Condition 2.C.(2), the reference to "HDI" is replaced by bracketed Palisades Energy, [Palisades Energy], to reflect a change in operating authority per license transfer application conforming amendment (Reference 9). It will be changed coincident with the implementation of the operating authority transfer through issuance of conforming amendments. Additionally, the term “maintain” is replaced by bracketed “operate,” [operate], to reflect the change in the power operation status of PNP per the POTS LAR (Reference 6). This change will be made coincident with the approval and implementation of the POTS. These changes are not addressed in this LAR.

Attachment 2 of this enclosure provides the re-typed pages to reflect the proposed changes.

3.1.1 Proposed Changes to the Permanently Defueled Technical Specifications

<table>
<tr><th colspan="2">PDTS SECTION 1.1, DEFINITIONS</th></tr>
<tr><td colspan="2">TS 1.1, Definitions, provides defined terms that are applicable throughout the PDTS And PDTS Bases. Deletion of these definitions conforms to the changes shown in PDTS Section 5.0 below which remove these terms from the PDTS.</td></tr>
<tr><td><u>Current Definition</u>

CERTIFIED FUEL HANDLER

A CERTIFIED FUEL HANDLER is an individual who complies with provisions of the CERTIFIED FUEL HANDLER training and retraining program required by Specification 5.3.2.</td><td><u>Proposed Definition</u>

This definition is proposed for deletion.</td></tr>
<tr><td><u>Current Definition</u>

NON-CERTIFIED OPERATOR

A NON-CERTIFIED OPERATOR is a non-licensed operator who complies with the qualification requirements of Specification 5.3.1.</td><td><u>Proposed Definition</u>

This definition is proposed for deletion.</td></tr>
<tr><th colspan="2">BASIS</th></tr>
<tr><td colspan="2">These PDTS Definitions are proposed for removal because they were not included in the previously approved power operations TS prior to Amendment 266 (Reference 11).

These Definitions proposed for deletion are related to the operating personnel of a permanently defueled plant. These personnel did not and will not have a role in the power operation of PNP. PNP operations staff will meet the requirements in Section 5.0 of the reinstated TS. The proposed deletions are acceptable as they conform to the usage contained in the "Administrative Controls" section of the PNP TS. These terms will no longer be used in the reinstated POTS.</td></tr>
</table>

PDTS SECTION 5.0, ADMINISTRATIVE CONTROLS

PDTS Section 5.0 establishes the requirements associated with site personnel responsibilities, the site organization, staffing, training, quality procedures, programs, reporting requirements, and high radiation areas. Portions of this section are proposed to be modified as shown below.

Current TS 5.1.1	Proposed TS 5.1.1
The plant manager shall be responsible for overall facility operation and shall delegate in writing the succession for this responsibility during absences.	The plant manager shall be responsible for overall ***plant*** ~~facility~~ operation and shall delegate in writing the succession for this responsibility during absences.
The plant manager or designee shall approve, prior to implementation, each proposed test, experiment or modification to systems or equipment that affect safe storage and maintenance of spent nuclear fuel.	The plant manager or designee shall approve, prior to implementation, each proposed test, experiment or modification to systems or equipment that affect ***nuclear safety*** ~~safe storage and maintenance of spent nuclear fuel~~.

BASIS

This TS is proposed for reinstatement in its entirety with revision to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated substantially as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant. A modification to the prior version and the reason to retain that modification is described below.

The term “plant manager” is not changed back to “plant superintendent.” The terms are equivalent, and more closely represent the proposed future PNP operating organization. Therefore, this is acceptable.

"Facility operation" is replaced with "plant operation" to clearly differentiate between a facility with a reactor that is permanently defueled and a plant that is licensed for power operation.

"Safe storage and maintenance of spent nuclear fuel" is replaced with "nuclear safety" to more precisely describe that, for a plant in a power operation condition, nuclear safety will focus across a broad spectrum of attributes to ensure safe operation of PNP. This is broader than the decommissioning focus on ensuring the safe control and management of spent nuclear fuel. Therefore, because the proposed term is a more precise statement of nuclear safety for the appropriate plant condition, the two terms are considered essentially analogous.

Based on the above, this change is considered administrative.

Current TS 5.1.2	Proposed TS 5.1.2
The shift manager shall be responsible for the shift command function.	The shift manager shall be responsible for the ~~shift~~ ***control room*** command function. ***During any absence of the shift manager from the control room while the plant is in MODE 1, 2, 3, or 4, an individual with an active Senior Reactor Operator (SRO) license shall be designated to assume the control room command function. During any absence of the shift manager from the control room while the plant is in MODE 5 or 6 an individual with an active SRO license or Reactor Operator (RO) license shall be designated to assume the control room command function.***

BASIS

This TS is proposed for reinstatement in its entirety with revision to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated substantially as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant. A modification to the prior version and the reason to retain that modification is described below.

The term “shift manager” is not changed back to “shift supervisor (SS).” As the terms are equivalent, and more closely represents the proposed future PNP operating organization. Therefore, this is acceptable.

PDTS Section 5.1 identifies the responsibilities for the shift command function associated with a facility in decommissioning. This LAR proposes to reinstate the POTS requirement for a control room (CR) command function and delegation of that function when the shift manager is absent from the CR. Delegation of that function when the shift manager is absent from the control room is reinstated. It is being modified because once PNP is in a power operation condition the focus of operating personnel will be in the control room where the majority of plant operational controls occur. Normal operation, transient and accident response occur in the control room during all MODES of power operation and clear lines of authority are crucial when the shift manager is absent. Although the shift would continue to be staffed with qualified personnel consistent with proposed TS 5.2.2, continuous staffing of the control room by the shift manager is necessary to protect the environment and the health and safety of the public.

Current TS 5.2.1	Proposed TS 5.2.1
Onsite and offsite organizations shall be established for facility staff and corporate management, respectively. The onsite and offsite organizations shall include the positions for activities affecting the safe storage and handling of spent nuclear fuel.	Onsite and offsite organizations shall be established for ~~facility staff~~ ***plant operation*** and corporate management, respectively. The onsite and offsite organizations shall include the positions for activities affecting the ***safety of the Palisades plant.*** ~~safe storage and handling of spent nuclear fuel.~~

BASIS

This TS is proposed for reinstatement in its entirety to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated in its entirety, as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant.

"Facility staff' is replaced with “plant operation” to clearly differentiate between site staff at a licensed power operation plant and site staff at a facility with a reactor that is permanently defueled.

"Safe storage and handling of spent nuclear fuel" is replaced with "safety of the Palisades plant” because during power operation of PNP the focus will be on the safety of the entire plant, not just the safe control and handling of spent nuclear fuel.

This change is administrative in nature because the organizational terms "facility staff" and "safe storage and handling of spent nuclear fuel" are considered analogous to "plant operation" and "safety of the Palisades plant", respectively, for a power operations plant.

Current TS 5.2.1.a	Proposed TS 5.2.1.a
Lines of authority, responsibility and communication shall be established and defined for the highest management levels through intermediate levels to and including all facility organization positions. …	Lines of authority, responsibility and communication shall be established and defined for the highest management levels through intermediate levels to and including all ~~facility~~ ***operating*** organization positions. …

BASIS

This TS is proposed for reinstatement in its entirety to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated in its entirety, as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant.

"Facility organization" is replaced with "operating organization" to clearly differentiate between a site organization at a power operation plant and a site organization at a facility with a reactor that is permanently defueled.

This change is administrative in nature because the organizational term "operating" is equivalent to "facility" for a power operations plant.

Current TS 5.2.1.b	Proposed TS 5.2.1.b
The plant manager shall be responsible for overall facility safe operation and shall have control over those onsite activities necessary for safe storage and maintenance of spent nuclear fuel.	The plant manager shall be responsible for overall ***plant*** ~~facility~~ safe operation and shall have control over those onsite activities necessary for safe ***operation and maintenance of the plant*** ~~storage and maintenance of spent nuclear fuel~~.

BASIS

This TS is proposed for reinstatement in its entirety with revision to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated substantially as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant. A modification to the prior version and the reason to retain that modification is described below.

The term “plant manager” is not changed back to “plant superintendent.” The terms are equivalent, and more closely represent the proposed future PNP operating organization. Therefore, this is acceptable.

"Facility safe operation" is replaced with "plant safe operation" to differentiate between a plant that is licensed for power operation and a facility with a reactor that is permanently defueled.

"Storage and maintenance of spent nuclear fuel" is replaced with "operation and maintenance of the plant” to more precisely describe that, for a facility in a power operation condition, the plant manager will focus on operation of the entire plant, not just control and management of spent nuclear fuel. Therefore, because the proposed term is a more precise statement of nuclear safety related to the plant condition, the two terms are considered essentially analogous.

Based on the above, this change is considered administrative.

Current TS 5.2.1.c	Proposed TS 5.2.1.c
A specified corporate officer shall have corporate responsibility for the safe storage and handling of spent nuclear fuel and shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining and providing technical support to the facility to ensure safe management of spent nuclear fuel.	A specified corporate officer shall have corporate responsibility for ***overall plant nuclear safety*** ~~the safe storage and handling of spent nuclear fuel~~ and shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining and providing technical support to the ***plant*** ~~facility~~ to ensure ***nuclear safety*** ~~safe management of spent nuclear fuel~~.

BASIS

This TS is proposed for reinstatement in its entirety with revision to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated substantially as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant. A modification to the prior version and the reason to retain that modification is described below.

The term “corporate officer” is not changed back to “corporate executive.” As the terms are equivalent and independent of plant operating status, this is acceptable.

"The safe storage and handling of spent nuclear fuel” is replaced with "overall plant nuclear safety" to more precisely describe that for a plant in a power operation condition, nuclear safety will focus on ensuring the safe control and operation of the entire plant. Therefore, because the proposed term is a more precise statement of nuclear safety in a power operations plant, the two terms are considered essentially analogous.

“Facility” is replaced with “plant” to clearly differentiate between a plant that is licensed for power operation and a facility with a reactor that is permanently defueled.

"Safe management of spent nuclear fuel" is replaced with "nuclear safety" to more precisely describe that, for a plant in a power operation condition, nuclear safety will focus on ensuring the safe operation of the entire plant. Therefore, because the proposed term is a more precise statement of nuclear safety in a power operations plant, the two terms are considered essentially analogous.

Based on the above, this change is considered administrative.

Current TS 5.2.1.d	Proposed TS 5.2.1.d
The individuals who train the CERTIFIED FUEL HANDLERS and those who carry out radiation protection and quality assurance functions may report to the appropriate onsite manager; however, they shall have sufficient organizational freedom to ensure their ability to perform their assigned functions.	The individuals who train the ***operating staff*** ~~CERTIFIED FUEL HANDLERS~~ and those who carry out radiation protection and quality assurance functions may report to the appropriate onsite manager; however, they shall have sufficient organizational freedom to ensure their ~~ability to perform their assigned functions~~ ***independence from operating pressure***.

BASIS

This TS is proposed for reinstatement in its entirety with revision to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated substantially as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant. Modifications to the prior version and the reasons for those modifications are described below.

The term “radiation protection” is not changed back to “radiation safety.” The terms are equivalent and independent of facility operating status, and this is therefore acceptable.

"CERTIFIED FUEL HANDLERS" is replaced with "operating staff” to more precisely reflect the operations department critical positions for a power operation plant. Certified Fuel Handlers are no longer required because operators, licensed in accordance with 10 CFR 55, perform fuel handling responsibilities along with other operational responsibilities. Therefore, this change is considered administrative.

"Ability to perform their assigned functions" is replaced with "independence from operating pressures" to better align with industry precedent. Since the intent of this statement has not changed, this is considered an equivalent statement, therefore this change is considered editorial.

Current TS 5.2.2	Proposed TS 5.2.2
The facility staff organization shall include the following:	The ~~facility~~ ***plant*** staff organization shall include the following:

This TS is proposed for reinstatement in its entirety to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is retained in its entirety.

“Facility” is replaced with “plant” to clearly differentiate between a plant that is licensed for power operation and a facility with a reactor that is permanently defueled. Based on the above, this change is considered administrative

Current TS 5.2.2.a	Proposed TS 5.2.2.a
Each duty shift shall be composed of at least one shift manager and one NON-CERTIFIED OPERATOR. The NON-CERTIFIED OPERATOR position may be filled by a CERTIFIED FUEL HANDLER.	~~Each duty shift shall be composed of at least one shift manager and one NON-CERTIFIED OPERATOR. The NON-CERTIFIED OPERATOR position may be filled by a CERTIFIED FUEL HANDLER.~~ ***A non-licensed operator shall be assigned when fuel is in the reactor and an additional non-licensed operator shall be assigned when the reactor is operating in MODES 1, 2,3, or 4.***

BASIS

This TS is proposed for reinstatement in its entirety to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated in its entirety, as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant.

This requirement is changed in its entirety from operator minimum shift staffing requirements for a permanently defueled reactor to non-licensed operator staffing requirements based on operating plant modes / conditions.

This change is acceptable because it reflects the minimum operator shift staffing based on an operating reactor. This ensures personnel are available for responding to the spectrum of credible accidents and operational events commensurate with a power operations plant.

Current TS 5.2.2.b	Proposed TS 5.2.2.b
Oversight of fuel handling operations shall be provided by a CERTIFIED FUEL HANDLER.	~~Oversight of fuel handling operations shall be provided by a CERTIFIED FUEL HANDLER.~~ ***(Deleted)***

BASIS

This TS is proposed to be removed in its entirety because it was not in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is removed in its entirety because it did not exist in the previously approved POTS prior to Amendment 266 (Reference 11).

PNP proposes to delete TS 5.2.2.b since CERTIFIED FUEL HANDLERS are no longer needed for a power operation plant. At a power operations plant, fuel handling is overseen by operators licensed in accordance with 10 CFR 55. Special conditions for fuel handling oversight are not required in the power operations plant TS.

Current TS 5.2.2.c	Proposed TS 5.2.2.c
Shift crew composition may be less than the minimum requirement of 5.2.2a for a period of time not to exceed 2 hours in order to accommodate unexpected absence of on-duty shift crew members provided immediate action is taken to restore the shift crew composition to within the minimum requirements and all the following are met: 1) No fuel movements are in progress, and 2) No movement of loads over fuel are in progress, and 3) No unmanned shift positions during shift turnover shall be permitted due to an incoming shift crew member being late or absent.	Shift crew composition may be less than the minimum requirement of ***10 CFR 50.54(m)(2)(i), and*** 5.2.2.a ***and 5.2.2.g*** for a period of time not to exceed 2 hours in order to accommodate unexpected absence of on-duty shift crew members provided immediate action is taken to restore the shift crew composition to within the ~~minimum~~ requirements***.*** ~~and all the following are met:~~ ~~1) No fuel movements are in progress, and~~ ~~2) No movement of loads over fuel are in progress, and~~ ~~3) No unmanned shift positions during shift turnover shall be permitted due to an incoming shift crew member being late or absent.~~

BASIS

This TS is proposed for reinstatement in its entirety to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated in its entirety, as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant.

The minimum shift crew requirements for a defueled reactor as specified in TS 5.2.2.c will be replaced with the minimum shift crew composition specified in 10 CFR 50.54(m)(2)(i), the proposed TS 5.2.2.a, and the proposed TS 5.2.2.g. This shift crew composition conforms with regulations and is appropriate for an operating reactor. This crew composition was previously approved for PNP when in a power operation condition.

Current TS 5.2.2.d	Proposed TS 5.2.2.d
A radiation protection technician shall be on site during the movement of fuel and during the movement of loads over fuel. The position may be vacant for not more than 2 hours, in order to provide for unexpected absence, provided immediate action is taken to fill the required position.	A radiation protection technician shall be on site ***when fuel is in the reactor*** ~~during the movement of fuel and during the movement of loads over fuel~~. The position may be vacant for not more than 2 hours, in order to provide for unexpected absence, provided immediate action is taken to fill the required position.

BASIS

This TS is proposed for reinstatement in its entirety with revision to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated substantially as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant. A modification to the prior version and the reason for that modification is described below.

The term “radiation protection” is not changed back to “radiation safety.” The terms are equivalent and independent of facility operating status, and this is therefore acceptable.

"During the movement of spent fuel and during the movement of loads over spent fuel" is replaced with “when fuel is in the reactor" because once the 10 CFR 80.82(a)(1) certifications have been withdrawn fuel will be allowed to be placed in the PNP reactor requiring a radiation technician to be on site whenever fuel is in the reactor.

Current TS 5.2.2.e	Proposed TS 5.2.2.e
At least one person qualified to stand watch in the control room (NON-CERTIFIED OPERATOR or CERTI FIED FUEL HANDLER) shall be present in the control room when nuclear fuel is stored in the spent fuel pool.	~~At least one person qualified to stand watch in the control room (NON-CERTIFIED OPERATOR or CERTI FIED FUEL HANDLER) shall be present in the control room when nuclear fuel is stored in the spent fuel pool.~~ ***(deleted)***

BASIS

This TS is proposed to be removed in its entirety because it was not in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is removed in its entirety because it did not exist in the previously approved POTS prior to Amendment 266 (Reference 11).

The watchstanding requirements for a permanently defueled facility are no longer appropriate for an operating power plant. The requirement for control room manning is already stated in 10 CFR 50.54 (m)(2)(i) and ensures activities such as monitoring plant systems, response to abnormal conditions, communications with onsite personnel and offsite agencies, emergency response, and coordination of plant activities will occur as required.

Current TS 5.2.2.f	Proposed TS 5.2.2.f
The shift manager shall be a CERTIFIED FUEL HANDLER.	~~The shift manager shall be a CERTIFIED FUEL HANDLER.~~ ***The operations manager or an assistant operations manager shall hold an SRO license. The individual holding the SRO license shall be responsible for directing the activities of the licensed operators.***

BASIS

This TS is proposed for reinstatement in its entirety with revision to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated in its entirety, as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant.

This requirement is changed in its entirety from shift manager training requirements at a permanently defueled facility to operations manager or assistant operations manager training requirements at a power operations plant. The training requirements for a power operation plant are different than those for a permanently defueled facility. The Palisades management structure will require positions above the shift manager to hold an SRO license. Once Palisades is in a power operation condition, the time available to mitigate credible events will once again be reflected in the design basis events described in the UFSAR Chapter 14 (Reference 10). As such, PNP management oversight of the facility needs to be performed by individuals meeting the SRO training and licensing requirements of 10 CFR 55.

This change is acceptable because it reflects the training necessary for those providing command and control at a power operations plant. Moreover, the spectrum of credible accidents and operational events, and the quantity and complexity of activities required for safety will be commensurate with a power operations plant and thus require this level of training.

Current TS 5.2.2.g	Proposed TS 5.2.2.g
(Deleted)	~~(Deleted)~~ ***When in MODES 1, 2, 3, or 4 an individual shall provide advisory technical support to the unit operations shift crew in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operations of the plant. This individual shall meet the qualifications specified by ANSI/ANS 3.1-1993 as endorsed by RG 1.8, Rev. 3, 2000.***

BASIS

This TS is proposed for reinstatement in its entirety with revision to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated in its entirety, as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant.

The requirement for a technical advisor in MODES 1, 2, 3, or 4 is necessary for a power operations plant. This requirement was previously approved for PNP.

Current TS 5.3.1	Proposed TS 5.3.1
Each member of the facility staff shall meet…	Each member of the ***plant*** ~~facility~~ staff shall meet …

BASIS

This TS is proposed for reinstatement in its entirety with revision to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated in its entirety, as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant.

“Facility” is replaced with “plant” to clearly differentiate between a plant that is licensed for power operation and a facility with a reactor that is permanently defueled. This change is administrative in nature because the organizational terms "plant staff" is considered analogous to "facility staff" once PNP is in a power operation condition.

Current TS 5.3.2	Proposed TS 5.3.2
A NRC approved training and retraining program for CERTIFIED FUEL HANDLERs shall be maintained.	~~A NRC approved training and retraining program for CERTIFIED FUEL HANDLERs shall be maintained.~~ ***(Deleted)***

BASIS

This TS is proposed to be removed in its entirety because it was not in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is removed in its entirety because it did not exist in the previously approved POTS prior to Amendment 266 (Reference 11).

With the change from a permanently defueled facility to a power operations plant, the CERTIFIED FUEL HANDLER training program is no longer needed. Power plant operator training is governed by 10 CFR 55.

Current TS 5.3.5	Proposed TS 5.3.5
(Deleted)	~~(Deleted)~~ ***For the purpose of 10 CFR 55.4, a licensed Senior Reactor Operator (SRO) and a licensed reactor operator (RO) are those individuals who, in addition to meeting the requirements of TS 5.3.1, perform the functions described in 10 CFR 50.54(m).***

BASIS

This TS is proposed for reinstatement in its entirety with revision to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated in its entirety, as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant.

With the change from permanently defueled facility to power operations plant, PNP will be required to have operators licensed pursuant to 10 CFR Part 55, "*Operator's Licenses,"* at PNP and therefore, 10 CFR 50.54(m) functions would apply.

Current TS 5.4.1.a	Proposed TS 5.4.1.a
The procedures applicable to the safe storage of spent nuclear fuel recommended in Regulatory Guide 1.33, Revision 2, Appendix A, February 1978.	The ***applicable*** procedures ~~applicable to the safe storage of spent nuclear fuel~~ recommended in Regulatory Guide 1.33, Revision 2, Appendix A, February 1978.

BASIS

This TS is proposed for reinstatement in its entirety with revision to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated in its entirety, as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant.

The qualifier "applicable to the safe storage of spent nuclear fuel" is removed from TS 5.4.1.a. With a return to power operations, the types of recommended procedures in Regulatory Guide 1.33, Revision 2, *Quality Assurance Program Requirements (operation)*, is expanded to include those required for operation and refueling the reactor, and the limits of this qualifier are no longer appropriate.

Current TS 5.4.1.b	Proposed TS 5.4.1.b
(Deleted)	~~(Deleted)~~ ***The emergency operating procedures required to implement the requirements of NUREG-0737 and NUREG-0737, Supplement 1, as stated in Generic Letter 82-33;***

BASIS

This TS is proposed for reinstatement in its entirety with revision to that which was in effect prior to the 10 CFR 50.82(a)(1) certifications to restore the PNP power operations RFOL. Upon recission of the 10 CFR 50.82(a)(1) certifications, as conditioned by the exemption to 10 CFR 50.82(a)(2), Reference 3, this TS is reinstated in its entirety, as it existed in the previously approved POTS prior to Amendment 266 (Reference 11), to reflect the power operation condition of the plant.

Proposed TS 5.4.1 b. requires emergency operating procedures that implement the requirements of NUREG-0737, and NUREG-0737, Supplement 1, as stated in Generic Letter (GL) 82-33 be provided. GL 82-33 was addressed to licensees of operating reactors, which would apply once PNP returns to a power operating condition. With PNP returning to a power operation condition, it will need to comply with this Generic Letter. The requirement to have procedures in accordance with this Generic Letter is reinstated in the TS.

4.0 REGULATORY EVALUATION

4.1 Applicable Regulatory Requirements

10 CFR 50.36, Technical Specifications

In accordance with 10 CFR 50.36, TS are required to include items in the following five categories: (1) safety limits, limiting safety system settings, and limiting control settings; (2) Limiting Conditions for Operation (LCOs); (3) Surveillance Requirements (SRs); (4) design features; and (5) administrative controls. However, the rule does not specify the particular requirements to be included in a plant's TS.

Addressing administrative controls, 10 CFR 50.36(c)(5) states that they "...are the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner. " This license amendment request is proposing changes to the Administrative Controls section, with conforming changes proposed to an additional section, consistent with the return to power operation status of the plant.

This proposed amendment reinstates the administrative controls portions of the previously approved PNP POTS that are applicable to a power operation plant.

10 CFR 50.54, Conditions of Licenses

10 CFR 50.54(m) establishes the requirements for having reactor operators and senior reactor operators (SROs) licensed in accordance with 10 CFR 55, *Operators' Licenses*, based on plant conditions. With the proposed reinstatement of PNP POTS (Reference 6) the requirements of 10 CFR 50.54(m) are applicable.

4.2 Precedent

No nuclear power plant licensee to date has requested reauthorization of power operation after docketing the 10 CFR 50.82(a)(1) certifications and before reaching the renewed facility license expiration date. There have been instances in which a licensee submitted to the NRC, and then subsequently withdrew, a certification of an intent to cease operations under

10 CFR 50.82(a)(1)(i). In those cases, the licensee had not submitted on the docket the certification of permanent cessation of operation and permanent removal of fuel from the reactor vessel.

While current regulations do not specify a particular mechanism for reauthorizing operation of a nuclear power plant after both certifications are submitted on the docket and before operating license expiration, there is no statute or regulation prohibiting such action. Additionally, the NRC has considered the possibility of returning a plant to power operations as mentioned in RG 1.184, *Decommissioning of Nuclear Power Reactors* (Reference 7), and SECY-20-0110, *Denial of Petition for Rulemaking on Criteria to Return Retired Power Reactors to Operations* (Reference 8). Thus, the NRC may address such requests under the existing regulatory framework on a case-by-case basis. This proposed administrative TS change supports the regulatory framework for reauthorization of power operations at PNP.

4.3 No Significant Hazards Consideration Determination

In accordance with 10 CFR 50.92, *Issuance of amendment,* Holtec Decommissioning International, LLC (HDI) has reviewed the proposed changes and concludes that the changes do not involve a significant hazards consideration since the proposed changes satisfy the criteria in 10 CFR 50.92(c). These criteria require that operation of the facility in accordance with the proposed amendment would not: (1) involve a significant increase in the probability or consequences of an accident previously evaluated; (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The proposed license amendment would revise Appendix A, Permanently Defueled Technical Specifications (PDTS) of the Palisades Nuclear Plant (PNP) Renewed Facility Operating License (RFOL). The proposed changes are consistent with resumption of power operation of the reactor and emplacement and retention of fuel into the reactor vessel. The review of the proposed changes is based on the reinstatement of the plant operating licensing basis (POLB) as it was prior to the 10 CFR 50.82(a)(1) certifications. There are no physical changes to facility design proposed or required to support this amendment, and no changes proposed to the processes or procedures that were previously used during PNP power operations.

The proposed changes remove definitions in the Palisades Nuclear Plant (PNP) PDTS Section 1.0, *Use and Application,* and change the descriptions of staff responsibilities, organization titles, staff qualification requirements and quality procedures in PDTS Section 5.0, *Administrative Controls,* consistent with resumption of operation of the reactor. The proposed changes to the PNP PDTS are in accordance with 10 CFR 50.36(c)(5).

The discussion below addresses each 10 CFR 50.92(c) no significant hazards consideration criterion and demonstrates that the proposed amendment does not constitute a significant hazard.

1. <u>Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?</u>

   Response: No.

   The proposed changes would revise the PNP PDTS by deleting definitions in PDTS Section 1.0, applicable to a facility in decommissioning, and reinstating, deleting, and

modifying some administrative controls in PDTS Section 5.0, to correspond to those that are applicable to a power operations reactor.

The deletion of TS definitions that are not applicable in a power operation condition has no impact on facility structures, systems, and components (SSCs) or the methods of operation of such SSCs. Therefore, they do not involve an increase in the probability or consequences of a previously evaluated accident.

Additionally, certain portions of the administrative control sections are deleted, reinstated, or modified to reflect a power operation plant. Chapter 14 of the PNP Updated Final Safety Analysis Report (UFSAR) Revision 35 (ADAMS Accession No. ML21125A285) describes the postulated design basis accidents (DBA) and transient scenarios applicable to PNP during power operations. The UFSAR will be reinstated to reflect the docketed version (Revision 35) that was in effect prior to docketing the 10 CFR 50.82(a) certifications of permanent cessation of power operations and permanent removal of fuel at PNP. This will include restoration of the UFSAR Revision 35 which includes previously evaluated accident analyses and safety classification of SSCs to support power operations at PNP. The proposed deletion, reinstatement, and modification of provisions of the administrative controls do not directly affect the design of SSCs necessary for safe operation of PNP. The proposed changes to the administrative controls are administrative in nature and do not affect any accidents or transients described in Chapter 14 of the PNP UFSAR Revision 35. The proposed changes do not involve physical changes to the facility or in the procedures governing operation of the plant that were in effect prior to 10 CFR 50.82(a)(1) certifications.

The probability of occurrence of previously evaluated accidents is not increased because changes to these administrative controls do not impact power operation or the response to an accident or transient. Thus, the probability or consequences of an accident previously evaluated are not increased.

Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes to the PNP PDTS do not impact the function of plant structures, systems, or components. The proposed changes do not involve installation of new equipment or modification of existing equipment that could create the possibility of a new or different kind of accident. The reinstatement, deletion, and modification of administrative PDTS that are related only to administrative staffing and procedures during the operation of the nuclear reactor cannot result in different or more adverse failure modes or accidents than previously evaluated because the plant will be operated within regulations and the previously approved licensing basis. Hence, the proposed changes do not result in a change to the way the facility or equipment is operated in a manner which could cause a new or different kind of accident initiator to be created.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The margin of safety is associated with confidence in the ability of the fission product barriers (i.e., fuel cladding, reactor coolant system pressure boundary, and containment structure) to limit the level of radiation dose to the public. The proposed PDTS changes are limited to those portions of the PDTS that are not related to the systems, structures and components that are important to the safe operation of the plant. The requirements that are proposed to be reinstated, revised, or deleted from the PNP PDTS are not credited in the existing accident analysis for postulated accidents, and as such, do not contribute to the margin of safety associated with the accident analysis. No accident analyses or safety analyses acceptance criteria will be affected by the proposed changes.

Therefore, the proposed amendment does not involve a significant reduction in the margin of safety.

Based on the above, HDI concludes that the proposed amendment presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and accordingly, a finding of "no significant hazards consideration" is justified.

4.4 Conclusion

Based on the considerations discussed above, (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

5.0 ENVIRONMENTAL EVALUATION

This amendment request meets the eligibility criteria for categorical exclusion from environmental review set forth in 10 CFR 51.22, *Criterion for categorical exclusion; identification of licensing and regulatory actions eligible for categorical exclusion or otherwise not requiring environmental review*, paragraph (c)(9). In support of this conclusion, as described in Reference 3, an independent environmental review of potentially new and significant information, and environmental issues not addressed in the October 2006 *Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 27, Regarding Palisades Nuclear Plant* was performed. The review concluded that the proposed licensing actions environmental impacts are consistent with the findings in the PNP RFOL Supplemental Environmental Impact Statement (NUREG 1427, Supplement 27), and hence the NRC staff recommendation to the Commission is applicable to this activity. The 10 CFR 51.22(c)(9) criteria are met as follows:

(i) The amendment involves no significant hazard consideration.

As described in Section 4.3 of this evaluation, the proposed amendment involves no significant hazards consideration. There are no changes to the design configuration or operation of the plant as constructed. There are no relaxations in the criteria used to establish safety limits or safety system settings or TS LCOs that were in effect prior to the 10 CFR 50.82(a)(1) certifications.

(ii) There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite.

There are no design configuration or operational changes proposed or required to support the reinstatement of the POLB that would change the type or amount of any effluents previously considered in the provisional, full-term, or renewed facility operating license environmental impact statements that considered power operations impacts through March 24, 2031. Reference 3 provides additional information. There are no expected changes in the types, characteristics, or quantities of effluents discharged to the environment associated with the proposed license amendment. The license amendment will not cause any materials or chemicals to be introduced into the plant that could affect the characteristics or types of effluents released offsite. Resumed power operations will be conducted under existing environmental permits. In addition, the method of operation of waste processing systems will not be affected by the proposed license amendment. The proposed license amendment will not result in changes to the design basis requirements of SSCs that function to limit or monitor the release of effluents. All the SSCs associated with limiting the release of effluents will continue to be able to perform the necessary functions.

(iii) There is no significant increase in individual or cumulative occupational radiation exposure.

There are no design configuration or operational changes proposed or required to support reinstatement of the POLB that would change the cumulative public or occupational radiation exposure than previously considered in the provisional, full-term, or renewed facility operating license environmental impact statements that considered power operations impacts through March 24, 2031. Reference 3 provides additional information. Plant programs and processes to support an operating plant will be reinstated to ensure 10 CFR 20 limits are not exceeded for individual or cumulative occupational exposure. Since the proposed license amendment does not involve any physical change to the facility or in the procedures governing operation of the plant, the proposed license amendment does not involve a significant increase in individual or cumulative public or occupational radiation exposure.

Based on the above, HDI concludes that the proposed amendment meets the eligibility criteria for categorical exclusion as set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of this amendment.

6.0 REFERENCES

1. Entergy Nuclear Operations, Inc. letter to U. S. Nuclear Regulatory Commission, “Supplement to Certification of Permanent Cessation of Power Operations,” dated October 19, 2017 (ADAMS Accession No. ML17292A032)

2. Entergy Nuclear Operations, Inc. letter to U.S. Nuclear Regulatory Commission, "Certifications of Permanent Cessation of Power Operations and Permanent Removal of Fuel from the Reactor Vessel," dated June 13, 2022 (ADAMS Accession No. ML22164A067)

3. Holtec Decommissioning International, LLC letter to U.S. Nuclear Regulatory Commission, "Request for Exemption from Certain Termination of License Requirements of 10 CFR 50.82" dated September 28, 2023 (ADAMS Accession No. ML23271A140)

4. Entergy Nuclear Operations, Inc. letter to U.S. Nuclear Regulatory Commission, License Amendment Request to Revise Renewed Facility Operating License and Technical Specifications for Permanently Defueled Condition, dated June 1, 2021 (ADAMS Accession No. ML21152A108)

5. Entergy Nuclear Operations, Inc. letter to U.S. Nuclear Regulatory Commission, License Amendment Request – Administrative Controls for a Permanently Defueled Condition, dated July 27, 2017 (ADAMS Accession No. ML17208A428)

6. Holtec Decommissioning International, LLC letter to U.S. Nuclear Regulatory Commission, “License Amendment Request to Revise Renewed Facility Operating License and Permanently Defueled Technical Specifications to Support Resumption of Power Operations,” dated December 14, 2023 (ADAMS Accession No. ML23348A148)

7. U. S. Nuclear Regulatory Commission, Regulatory Guide 1.184, “Decommissioning of Nuclear Power Reactors,” Revision 1, dated October 4, 2013 (ADAMS Accession No. ML13144A840)

8. U. S. Nuclear Regulatory Commission, SECY-20-0110: Enclosure 1 – Federal Register Notice – Denial of Petition for Rulemaking on Criteria to Return Retired Nuclear Power Reactors to Operations (PRM 50-117; NRC 2019-0063), dated December 7, 2020 (ADAMS Accession No. ML20205L307)

9. Holtec Decommissioning International, LLC letter to U.S. Nuclear Regulatory Commission, "Application for Order Consenting to Transfer of Control of License and Approving Conforming License Amendments" dated December 06, 2023 (ADAMS Accession Nos. ML23340A161, ML23340A162)

10. Entergy Nuclear Operations, Inc. letter to U.S. Nuclear Regulatory Commission, “Final Safety Analysis Report Update – Revision 35,” dated April 14, 2021 (ADAMS Accession No. ML21125A285)

11. U. S. Nuclear Regulatory Commission letter to Entergy Nuclear Operations, Inc., “Palisades Nuclear Plant – Issuance of Amendment Regarding Administrative Controls for Permanently Defueled Condition (CAC No. MG0021; EPID L-2017-LLA-0266),” dated

June 4, 2018 (ADAMS Accession No. ML18114A410)

7.0 ATTACHMENTS

1. Proposed Changes (mark-up) to Palisades Plant Renewed Facility Operating License DPR-20 and Appendix A, Permanently Defueled Technical Specifications Pages

2. Page Change Instructions and Retyped Pages for the Palisades Plant Renewed Facility Operating License DPR-20 and Appendix A, Technical Specifications

Enclosure Attachment 1 to

HDI PNP 2024-001

Proposed Changes (mark-up) to Palisades Plant

Renewed Facility Operating License DPR-20 and

Appendix A, Permanently Defueled Technical Specifications Pages

Note, references to "HDI" is replaced by bracketed Palisades Energy (e.g. [Palisades Energy]) to reflect the proposed change in operating authority per license transfer application conforming amendments. Additionally, the term “maintain” is replaced by bracketed “operate” (e.g. [operate]) to reflect the proposed change in the power operated technical specification license amendment request.

8 pages follow

(2) HDI, pursuant to the Act and 10 CFR Parts 40 and 70, to possess source, and special nuclear material that was used as reactor fuel, in accordance with the limitations for storage, as described in the Updated Final Safety Analysis Report, as supplemented and amended;

(3) HDI, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use byproduct, source, and special nuclear material as sealed sources that were used for reactor startup, sealed sources that were used for reactor instrumentation and are used in the calibration of radiation monitoring equipment, and that were used as fission detectors in amounts as required;

(4) HDI, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use in amounts as required any byproduct, source, or special nuclear material for sample analysis or instrument calibration, or associated with radioactive apparatus or components; and

(5) HDI, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate, such byproduct and special nuclear materials that were produced by the operations of the facility.

C. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations in 10 CFR Chapter I and is subject to all applicable provisions of the Act; to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) [deleted]

(2) The Technical Specifications contained in Appendix A, as revised through Amendment No. ~~273~~ **XXX**, and the Environmental Protection Plan contained in Appendix B are hereby incorporated in the license. ~~HDI~~ **[Palisades Energy]** shall ~~maintain~~ **[operate]** the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) [deleted]

(4) [deleted]

(5) Movement of a fuel cask in or over the spent fuel pool is prohibited when irradiated fuel assemblies decayed less than 90 days are in the spent fuel pool.

PALISADES PLANT

RENEWED FACILITY OPERATING LICENSE DPR-20

APPENDIX A

PERMANENTLY DEFUELED TECHNICAL SPECIFICATIONS

As Amended through Amendment No. ~~273~~XXX

1.0 USE AND APPLICATION

1.1 Definitions

----------NOTE----------
The defined terms of this section appear in capitalized type and are applicable throughout these Technical Specifications and Bases.

Term	Definition
ACTIONS	ACTIONS shall be that part of a Specification that prescribes Required Actions to be taken under designated Conditions within specified Completion Times.
~~CERTIFIED FUEL HANDLER~~	~~A CERTIFIED FUEL HANDLER is an individual who complies with provisions of the CERTIFIED FUEL HANDLER training and retraining program required by Specification 5.3.2~~.
~~NON-CERTIFIED OPERATOR~~	~~A NON-CERTIFIED OPERATOR is a non-licensed operator who complies with the qualification requirements of Specification 5.3.1~~.

5.0 ADMINISTRATIVE CONTROLS

5.1 Responsibility

5.1.1 The plant manager shall be responsible for overall ~~facility~~ **plant** operation and shall delegate in writing the succession for this responsibility during absences.

The plant manager or designee shall approve, prior to implementation, each proposed test, experiment or modification to systems or equipment that affect ~~safe storage and maintenance of spent~~ nuclear ~~fuel~~**safety**.

5.1.2 The shift manager shall be responsible for the ~~shift~~ **control room** command function. **During any absence of the shift manager from the control room while the plant is in MODE 1, 2, 3, or 4, an individual with an active Senior Reactor Operator (SRO) license shall be designated to assume the control room command function. During any absence of the shift manager from the control room while the plant is in MODE 5 or 6 an individual with an active SRO license or Reactor Operator (RO) license shall be designated to assume the control room command function.**

5.0 ADMINISTRATIVE CONTROLS

5.2 Organization

5.2.1 Onsite and Offsite Organizations

Onsite and offsite organizations shall be established for ~~facility staff~~ **plant operation** and corporate management, respectively. The onsite and offsite organizations shall include the positions for activities affecting the safe**ty** ~~storage and handling~~ of ~~spent nuclear fuel~~**the Palisades plant**.

a. Lines of authority, responsibility and communication shall be established and defined for the highest management levels through intermediate levels to and including all ~~facility~~ **operating** organization positions. These relationships shall be documented, and updated, as appropriate, in the form of organization charts, functional descriptions of departmental responsibilities and relationships, and job descriptions for key positions, or in equivalent forms of documentation. These requirements and the plant specific equivalent of those titles referred to in these Technical Specifications shall be documented in the FSAR.

b. The plant manager shall be responsible for overall ~~facility~~ **plant** safe operation and shall have control over those onsite activities necessary for safe ~~storage~~ **operation** and maintenance of ~~spent nuclear fuel~~**the plant**.

c. A specified corporate officer shall have corporate responsibility for ~~the safe storage and handling of spent nuclear fuel~~**overall plant nuclear safety** and shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining and providing technical support to the ~~facility~~ **plant** to ensure ~~safe management of spent nuclear fuel~~**nuclear safety**.

d. The individuals who train the ~~CERTIFIED FUEL HANDLERS~~ **operating staff** and those who carry out radiation protection and quality assurance functions may report to the appropriate onsite manager; however, they shall have sufficient organizational freedom to ensure their **independence from operating pressures**~~ability to perform their assigned functions~~.

5.2.2 ~~Facility~~ **Plant** Staff

The ~~facility~~ **plant** staff organization shall include the following:

a. ~~Each duty shift~~**A non-licensed operator** shall be **assigned when fuel is in the reactor and an additional non-licensed operator shall be assigned when the reactor is operating in MODES 1, 2, 3, or 4**~~composed of at least one shift manager and one NON-CERTIFIED OPERATOR. The NON-CERTIFIED OPERATOR position may be filled by a CERTIFIED FUEL HANDLER~~

.

5.2 Organization

5.2.2 ~~Facility~~ **Plant Staff** (Continued)

b. ~~Oversight of fuel handling operations shall be provided by a CERTIFIED FUEL HANDLER.~~**(Deleted)**

c. Shift crew composition may be less than the minimum requirement of **10 CFR 50.54(m)(2)(i), and** 5.2.2a~~.~~ **and 5.2.2g** for a period of time not to exceed 2 hours in order to accommodate unexpected absence of on-duty shift crew members provided immediate action is taken to restore the shift crew composition to within the ~~minimum~~ requirements~~. and all the following are met:~~

~~1) No fuel movements are in progress, and~~

~~2) No movement of loads over fuel are in progress, and~~

~~3) No unmanned shift positions during shift turnover shall be permitted due to an incoming shift crew member being late or absent~~.

d. A radiation protection technician shall be on site ~~during the movement of~~ **when** fuel **is in the reactor**~~and during the movement of loads over fuel~~. The position may be vacant for not more than 2 hours, in order to provide for unexpected absence, provided immediate action is taken to fill the required position.

e. ~~At least one person qualified to stand watch in the control room (NON-CERTIFIED OPERATOR or CERTIFIED FUEL HANDLER) shall be present in the control room when nuclear fuel is stored in the spent fuel pool.~~**(Not Used)**

f. The ~~shift~~ **operations** manager **or an assistant operations manager** shall **hold an SRO license**~~be a CERTIFIED FUEL HANDLER~~. **The individual holding the SRO license shall be responsible for directing the activities of the licensed operators.**

g. **When in MODES 1, 2, 3, or 4 an individual shall provide advisory technical support to the unit operations shift crew in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operations of the plant. This individual shall meet the qualifications specified by ANSI/ANS 3.1 1993 as endorsed by RG 1.8, Rev. 3, 2000.**~~(Deleted)~~

5.0 ADMINISTRATIVE CONTROLS

5.3 ~~Facility~~ **Plant** Staff Qualifications

5.3.1 Each member of the ~~facility~~ **plant** staff shall meet or exceed the minimum qualifications of ANSI/ANS 3.1-1978 for comparable positions with exceptions specified in the Quality Assurance Program Manual (QAPM).

5.3.2 ~~A NRC approved training and retraining program for CERTIFIED FUEL HANDLERs shall be maintained.~~**(Deleted)**

5.3.3 (Deleted)

5.3.4 (Deleted)

5.3.5 **For the purpose of 10 CFR 55.4, a licensed Senior Reactor Operator (SRO) and a licensed reactor operator (RO) are those individuals who, in addition to meeting the requirements of TS 5.3.1, perform the functions described in 10 CFR 50.54(m).**~~(Deleted)~~

5.0 ADMINISTRATIVE CONTROLS

5.4 Procedures

5.4.1 Written procedures shall be established, implemented, and maintained covering the activities referenced below:

a. The **applicable** procedures ~~applicable to the safe storage of spent nuclear fuel~~ recommended in Regulatory Guide 1.33, Revision 2, Appendix A, February 1978.

b. **The emergency operating procedures required to implement the requirements of NUREG-0737 and NUREG-0737, Supplement 1, as stated in Generic Letter 82-33;**~~(Deleted)~~

c. Not used;

d. All programs specified in Specification 5.5.

Enclosure Attachment 2 to

HDI PNP 2024-001

Page Change Instructions and Retyped Pages for the Palisades Nuclear Plant

Renewed Facility Operating License DPR-20 and

Appendix A, Technical Specifications

Note, references to "HDI" is replaced by bracketed Palisades Energy (e.g. [Palisades Energy]) to reflect the proposed change in operating authority per license transfer application conforming amendments. Additionally, the term “maintain” is replaced by bracketed “operate” (e.g. [operate]) to reflect the proposed change in the power operated technical specification license amendment request.

9 pages follow

Page Change Instructions

ATTACHMENT TO LICENSE AMENDMENT NO. XXX

RENEWED FACILITY OPERATING LICENSE NO. DPR-20

DOCKET NO. 50-255

Remove the following pages of Palisades Plant Renewed Facility Operating License and replace with the attached revised Palisades Plant Renewed Facility License. The revised pages are identified by amendment number and contain a line in the margin indicating the area of change.

REMOVE	**INSERT**
Page 3	Page 3

Remove the following pages of Appendix A, Permanently Defueled Technical Specifications, and replace with the attached revised pages. The revised pages are identified by amendment number and contain a line in the margin indicating the area of change.

REMOVE	**INSERT**
TS Title Page	TS Title Page
Page 1.1-1	Page 1.1-1
Pages 5.0-1 through 5.0-5	Pages 5.0-1 through 5.0-5

(2) HDI, pursuant to the Act and 10 CFR Parts 40 and 70, to possess source, and special nuclear material that was used as reactor fuel, in accordance with the limitations for storage, as described in the Updated Final Safety Analysis Report, as supplemented and amended;

(3) HDI, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use byproduct, source, and special nuclear material as sealed sources that were used for reactor startup, sealed sources that were used for reactor instrumentation and are used in the calibration of radiation monitoring equipment, and that were used as fission detectors in amounts as required;

(4) HDI, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess, and use in amounts as required any byproduct, source, or special nuclear material for sample analysis or instrument calibration, or associated with radioactive apparatus or components; and

(5) HDI, pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate, such byproduct and special nuclear materials that were produced by the operations of the facility.

C. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations in 10 CFR Chapter I and is subject to all applicable provisions of the Act; to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) [deleted]

(2) The Technical Specifications contained in Appendix A, as revised through Amendment No. XXX, and the Environmental Protection Plan contained in Appendix B are hereby incorporated in the license. [Palisades Energy] shall [operate] the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) [deleted]

(4) [deleted]

(5) Movement of a fuel cask in or over the spent fuel pool is prohibited when irradiated fuel assemblies decayed less than 90 days are in the spent fuel pool.

PALISADES PLANT

RENEWED FACILITY OPERATING LICENSE DPR-20

APPENDIX A

PERMANENTLY DEFUELED TECHNICAL SPECIFICATIONS

As Amended through Amendment No. XXX

1.0 USE AND APPLICATION

1.1 Definitions

----------NOTE----------
The defined terms of this section appear in capitalized type and are applicable throughout these Technical Specifications and Bases.

Term	Definition
ACTIONS	ACTIONS shall be that part of a Specification that prescribes Required Actions to be taken under designated Conditions within specified Completion Times.
.	
.	

5.0 ADMINISTRATIVE CONTROLS

5.1 Responsibility

5.1.1 The plant manager shall be responsible for overall plant operation and shall delegate in writing the succession for this responsibility during absences.

The plant manager or designee shall approve, prior to implementation, each proposed test, experiment or modification to systems or equipment that affect nuclear safety.

5.1.2 The shift manager shall be responsible for the control room command function. During any absence of the shift manager from the control room while the plant is in MODE 1, 2, 3, or 4, an individual with an active Senior Reactor Operator (SRO) license shall be designated to assume the control room command function. During any absence of the shift manager from the control room while the plant is in MODE 5 or 6 an individual with an active SRO license or Reactor Operator (RO) license shall be designated to assume the control room command function.

5.0 ADMINISTRATIVE CONTROLS

5.2 Organization

5.2.1 Onsite and Offsite Organizations

Onsite and offsite organizations shall be established for plant operation and corporate management, respectively. The onsite and offsite organizations shall include the positions for activities affecting the safety of the Palisades plant.

a. Lines of authority, responsibility and communication shall be established and defined for the highest management levels through intermediate levels to and including all operating organization positions. These relationships shall be documented, and updated, as appropriate, in the form of organization charts, functional descriptions of departmental responsibilities and relationships, and job descriptions for key positions, or in equivalent forms of documentation. These requirements and the plant specific equivalent of those titles referred to in these Technical Specifications shall be documented in the FSAR.

b. The plant manager shall be responsible for overall plant safe operation and shall have control over those onsite activities necessary for safe operation and maintenance of the plant.

c. A specified corporate officer shall have corporate responsibility for overall plant nuclear safety and shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining and providing technical support to the plant to ensure nuclear safety.

d. The individuals who train the operating staff and those who carry out radiation protection and quality assurance functions may report to the appropriate onsite manager; however, they shall have sufficient organizational freedom to ensure their independence from operating pressure.

5.2.2 Plant Staff

The plant staff organization shall include the following:

a. A non-licensed operator shall be assigned when fuel is in the reactor and an additional non-licensed operator shall be assigned when the reactor is operating in MODES 1, 2, 3, or 4.

b. (Deleted)

5.0 ADMINISTRATIVE CONTROLS

5.2 Organization

5.2.2 Plant Staff (Continued)

c. Shift crew composition may be less than the minimum requirement of 10 CFR 50.54(m)(2)(i), and 5.2.2a and 5.2.2g for a period of time not to exceed 2 hours in order to accommodate unexpected absence of on-duty shift crew members provided immediate action is taken to restore the shift crew composition to within the requirements.

d. A radiation protection technician shall be on site when fuel is in the reactor. The position may be vacant for not more than 2 hours, in order to provide for unexpected absence, provided immediate action is taken to fill the required position.

e. (Not Used)

f. The operations manager or an assistant operations manager shall hold an SRO license. The individual holding the SRO license shall be responsible for directing the activities of the licensed operators.

g. When in MODES 1, 2, 3, or 4 an individual shall provide advisory technical support to the unit operations shift crew in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operations of the plant. This individual shall meet the qualifications specified by ANSI/ANS 3.1-1993 as endorsed by RG 1.8, Rev. 3, 2000.

5.0 ADMINISTRATIVE CONTROLS

5.3 Plant Staff Qualifications

5.3.1 Each member of the plant staff shall meet or exceed the minimum qualifications of ANSI/ANS 3.1-1978 for comparable positions with exceptions specified in the Quality Assurance Program Manual (QAPM).

5.3.2 (Deleted)

5.3.3 (Deleted)

5.3.4 (Deleted)

5.3.5 For the purpose of 10 CFR 55.4, a licensed Senior Reactor Operator (SRO) and a licensed reactor operator (RO) are those individuals who, in addition to meeting the requirements of TS 5.3.1, perform the functions described in 10 CFR 50.54(m).

5.0 ADMINISTRATIVE CONTROLS

5.4 Procedures

5.4.1 Written procedures shall be established, implemented, and maintained covering the activities referenced below:

a. The applicable procedures recommended in Regulatory Guide 1.33, Revision 2, Appendix A, February 1978.

b. The emergency operating procedures required to implement the requirements of NUREG-0737 and NUREG-0737, Supplement 1, as stated in Generic Letter 82-33;

c. Not used;

d. All programs specified in Specification 5.5.