



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 27, 2023

MEMORANDUM TO: Those on the Attached List

FROM: Andrea D. Veil, Director */RA Michael King for/*
Office of Nuclear Reactor Regulation

John B. Giessner, Regional Administrator */RA/*
Region III

SUBJECT: PALISADES NUCLEAR PLANT, RESTART PANEL CHARTER

By letter dated March 13, 2023 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML23072A404), Holtec Decommissioning International, LLC, on behalf of Holtec Palisades, LLC, submitted a letter to the U.S. Nuclear Regulatory Commission outlining a proposed regulatory path for the reauthorization of power operations at the Palisades Nuclear Plant (Palisades). The purpose of this memorandum is to establish the Palisades Restart Panel (PRP) and to provide the associated charter. The enclosed charter defines the responsibilities for the PRP as it relates to the licensing actions, exemptions, technical issues, and inspections required for Palisades to resume commercial operation. The Director, Office of Nuclear Reactor Regulation (NRR) and Regional Administrator, Region III shall have the authority to make mutually agreed revisions to the PRP Charter.

Docket No. 50-255

Enclosure:
PRP Charter

CONTACT: Jeffrey A. Whited, NRR/DORL
301-415-4090

MEMORANDUM TO THOSE ON THE ATTACHED LIST DATED NOVEMBER 27, 2023

Office of Nuclear Reactor Regulation

Russell Felts, Director, Division of Reactor Oversight
Phil McKenna, Deputy Director, Division of Reactor Oversight
Bo Pham, Director, Division of Operating Reactor Licensing
Jamie Heisserer, Deputy Director, Division of Operating Reactor Licensing

Region III

Julio Lara, Director, Division of Operating Reactor Safety
Jason Kozal, Deputy Director, Division of Operating Reactor Safety

Office of Nuclear Security and Incident Response

Gregory Bowman, Director, Division of Physical and Cyber Security Policy
Kathryn Brock, Director, Division of Preparedness and Response
Tara Inverso, Director, Division of Security Operations

Office of Nuclear Materials Safety and Safeguards

Jane Marshall, Director, Division of Decommissioning, Uranium Recovery, and Waste Programs
Christopher Regan, Director, Division of Rulemaking, Environmental, and Financial Support

Office of the General Counsel

Susan Vrahoretis, Assistant General Counsel for Reactor Programs

PALISADES RESTART PANEL CHARTER

This charter defines the responsibilities for the Palisades Nuclear Plant (Palisades) Restart Panel (PRP), as it relates to inspection and licensing activities for Palisades until commercial operation resumes. The PRP will ensure that U.S Nuclear Regulatory Commission (NRC or Commission) staff conducts its licensing and regulatory activities in a manner that provides reasonable assurance of adequate protection of public health and safety, promotes the common defense and security, and protects the environment.

The PRP is an assessment and oversight group chaired by the members listed below.

Co-Chairs:

- Office of Nuclear Reactor Regulation (NRR) Director/Deputy Director, Division of Reactor Oversight
- NRR Director/Deputy Director, Division of Operating Reactor Licensing (DORL)
- Region III Director/Deputy Director, Division of Operating Reactor Safety (DORS)

To oversee project completion, other NRC offices and divisions, as listed below, will participate in the PRP, as necessary:

Members:

- Office of Nuclear Security and Incident Response (NSIR)
 - Director/Deputy Director, Division of Physical and Cyber Security Policy
 - Director/Deputy Director, Division of Preparedness and Response
 - Director/Deputy Director, Division of Security Operations
- Office of the General Counsel (OGC)
- Office of Nuclear Materials Safety and Safeguards (NMSS)
 - Director/Deputy Director, Division of Decommissioning, Uranium Recovery, and Waste Programs
 - Director/Deputy Director, Division of Rulemaking, Environmental, and Financial Support

For each of the membership positions, the members may delegate attendance and participation at PRP meetings. Designees shall be empowered to act for the members and to allocate resources. The PRP is authorized to make decisions when a quorum exists. A quorum shall be defined as consisting of two co-chairs and two other members (or their alternates) present at a meeting. Staff from other offices/regions may assist the PRP in its activities.

The PRP serves as the focal point for project status and for coordination among Region III, NRR, NSIR, NMSS, OGC, and the Office of Public Affairs (OPA). In addition, the PRP facilitates communications with the Commission, the Executive Director for Operations and its office direct reports, the licensee, and other external stakeholders.

OBJECTIVES

The PRP's primary objective is to proactively identify and promptly resolve any licensing, inspection, or regulatory challenges that concern the Palisades restart. To accomplish this

objective, the PRP provides high-level assessments, coordination, oversight, and management direction of NRC activities associated with the licensing, inspection, testing, and operation of Palisades. The PRP should ensure that risk insights are considered up front in order to ensure the agency's resources are focused on significant items and that appropriate visibility of significant issues is maintained to enable the PRP to adjust activities as needed to remain focused on issues of the greatest importance. Each of the NRC offices and associated staff retains responsibility for the activities related to licensing, inspection, and assessment of Palisades under their purview.

From a licensing perspective, the PRP's early focus will be on identifying the regulatory reviews and approvals that are necessary to return the plant to operation and placing them in the appropriate sequence to facilitate implementation and oversight of licensee programs needed to prepare the plant for return to operation (e.g., quality assurance), without restoring requirements sooner than necessary (e.g., operating reactor security and emergency preparedness) and inadvertently putting the licensee into non-compliance. If approved, the sequence will support compliance with applicable requirements for transition from decommissioning to operations.

From an oversight perspective, the PRP will ensure that Region III, NRR, and NSIR determine and provide adequate monitoring of those conditions that would need to be observed prior to the plant exiting decommissioning and returning to operating status.

The PRP will ensure the review of the emergency preparedness program is properly coordinated with all stakeholders (including FEMA), and that all applicable regulatory requirements for onsite and offsite exercises are met prior to returning the plant to an operating status.

The PRP reports to the Director of NRR and the Regional Administrator, Region III. This includes but is not limited to periodic updates, information on license reviews, inspections, operator licensing, and restart activities. The updates will also include the status of hearings, allegations, inspection issues, and licensing activities concerning the project, as applicable. The Director of NRR, Regional Administrator for Region III, and PRP co-chairs will determine the frequency of the updates.

SCOPE OF ACTIVITIES

The PRP meets its objectives by prioritizing resource management, project planning and execution, communications, and oversight.

RESOURCE MANAGEMENT

The PRP facilitates resource prioritization across organizational boundaries to meet inspection and licensing objectives as needed, including resources for the following:

- Inspection
- Licensing
- Return to Reactor Oversight Process

The PRP will track and periodically report a summary of resources expended for various efforts (guidance/program development, licensing, oversight, etc.)

PROJECT PLANNING AND EXECUTION

The PRP provides oversight for overall project planning among the NRC offices participating in oversight, licensing, and restart activities. The scope of PRP activities in this area include the following:

- Identify and determine the necessary licensing activities and inspections, and ensure that they are conducted in a timely manner and integrated with the licensee's schedule to support agency decision-making regarding restart.
- Determine that Project Leads from each of the responsible offices are established and have the authority to commit the organization's resources to meet due dates.
- Facilitate expedited changes to inspection support documents (e.g., procedures, inspection planning documents) as needed, to support timely inspection activities.
- Identify for resolution, by the appropriate office, any inspection, licensing, and restart challenges before they unnecessarily impact project schedules.
- Identify areas for which new regulatory approaches or guidance are needed.

COMMUNICATIONS

The PRP serves as the focal point for project status and coordination among the NRC's regional and headquarters offices, including periodic status briefings to the Director of NRR and the Regional Administrator, Region III. The scope of PRP communication activities include the following:

- Maintain a communication plan with input from each of the offices.
- Oversee plan implementation to ensure key stakeholders, including the State of Michigan, are informed of the review status. Coordinate with the OPA, the Office of Congressional Affairs (OCA), and OGC.
- Maintain and periodically issue talking points on the status of the Palisades project for use in senior NRC management briefings, bringing attention to special issues, as necessary.
- Communicate status of NRC activities, including licensing and technical issues that could impact the project timeline, to the Commission, NRC management, and other stakeholders, as appropriate.
- Conduct periodic meetings with the licensee to discuss progress of inspection, licensing actions, and restart activities.
- Elevate promptly any issues that require NRC office level (or above) engagement with licensee management.
- Ensure effective coordination among NRR, Region III, NMSS, NSIR, OGC, OPA, and OCA.
- Conduct periodic public meetings with external stakeholders, as appropriate, for effectiveness, openness, and transparency.
- Ensure that meeting summaries are provided, commitments are tracked, and organizations are accountable for assigned actions.

OVERSIGHT

The scope of PRP activities in oversight include the following:

- Maintain cognizance of the restart activities and conduct periodic meetings among PRP members to assess ongoing NRC inspections and to resolve technical and regulatory issues that may arise.
- Oversee coordination of safety, security, and emergency planning interfaces and ensure that issues in these areas are communicated to affected NRC staff.
- Maintain cognizance of inspection performance and associated metrics (technical assistance requests, violations, allegations).
- Identify issues that affect any of these oversight functions and facilitate their timely resolution.
- Provide support to the hearing process.

PRP MEETING FREQUENCY

The PRP meetings occur twice per quarter to ensure that schedules are met and new and existing activities are identified and tracked through completion. The PRP will meet more frequently if the PRP deems it necessary based on pending activities and other stakeholder interest. The PRP leverages its meetings with existing management meetings, as practical. The meetings take place near Palisades, the Region III office, or NRC Headquarters. Members attend the meetings in person or through Microsoft Teams.

PRP DURATION

The PRP will be in effect until the NRC reaches decisions on all of the licensing actions, exemptions, technical issues, and inspections required for Palisades to resume commercial operation or until a point mutually agreed upon by the Director of NRR and the Regional Administrator, Region III.

ESTIMATED NUMBER AND FREQUENCY OF PUBLIC MEETINGS

Starting in the first quarter of fiscal year 2024, the PRP will hold public meetings with the licensee to discuss the status of the restart program, significant inspection and licensing issues, and the transition to operations. These meetings will take place quarterly; the PRP may adjust the frequency based on pending activities and other stakeholder interest.

OUTCOMES

The licensing actions reviewed, and inspections conducted, associated with the review of the Palisades restart effort will be dispositioned in accordance with the appropriate processes. In addition, the PRP will provide a final letter to the Director of NRR and Regional Administrator, Region III summarizing the efforts of the PRP and providing any recommendations, should other licensees choose to pursue the restart of a reactor in a decommissioning status.

DOCUMENTATION

The PRP shall designate a repository of information in addition to the Agencywide Documents Access and Management System where panel members and staff will collaborate.

An NRC public webpage will be updated with applicable oversight information associated with the PRP.

References:

<https://www.nrc.gov/info-finder/reactors/wb/watts-bar.html>

SUBJECT: PALISADES NUCLEAR PLANT, RESTART PANEL CHARTER DATED
NOVEMBER 27, 2023

DISTRIBUTION

Public
 RidsNrrDorlLp3 Resource
 RidsNrrLAABaxter Resource
 RidsNrrDorl Resource
 RidsNrrDro Resource
 RidsNrrOd Resource
 RidsRgn3MailCenter Resource
 RidsOgcMailCenter Resource
 RidsNsirDpcp Resource
 RidsNsirDpr Resource
 RidsNsirDso Resource
 RidsNmssDuwp Resource
 RidsNmssRefs Resource
 RidsOPA Resource
 JPoole, NRR
 NOtto, NRR

ADAMS Accession Number: ML23297A053

NRR-106

OFFICE	NRR/DORL/PM	NRR/DORL/LA	NRR/DORL/BC	NRR/DORL/D	NRR/DRO/D
NAME	JPoole	ABaxter	JWhited	BPham	RFelts
DATE	10/23/2023	10/27/2023	10/27/2023	10/31/2023	11/03/2023
OFFICE	RIII/DORS/D	NSIR/DPCP/D	NSIR/DPR/D	NSIR/DSO/D	NMSS/DUWP/D
NAME	JLara	GBowman	KBrock	TInverso	MFerdas (JMarshall for)
DATE	11/03/2023	11/03/2023	11/07/2023	11/03/2023	11/03/2023
OFFICE	NMSS/REFS/D	OGC-NLO	RIII/RA	NRR/D	
NAME	JMoses (CRegan for)	SVrahoretis	JGiessner	AVeil (MKing for)	
DATE	11/03/2023	11/15/2023	11/17/2023	11/27/2023	

OFFICIAL RECORD COPY