

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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In the Matter of)	
)	
Entergy Nuclear Operations, Inc., Entergy)	Docket Nos. 50-255-LT-2
Nuclear Palisades, LLC, Holtec)	72-007-LT
International, and Holtec Decommissioning)	
International, LLC)	
)	
(Palisades Nuclear Plant))	
_____)	

ORDER

On February 23, 2021, Don't Waste Michigan, Beyond Nuclear, and Michigan Safe Energy Future (collectively, "Petitioners") filed a motion seeking a 60-day extension of the deadline for requesting a hearing, and for submitting written comments, with respect to the proposed license transfers for the Palisades Nuclear Plant and Big Rock Point Plant.¹ By *Federal Register* notice, the NRC previously established a deadline of February 24, 2021, for the submission of hearing requests, and a deadline of March 8, 2021, for the submission of written comments.² Entergy Nuclear Operations, Inc., on behalf of itself and the other applicants for the proposed license transfers, opposes the extension request.³

¹ Motion to Extend Deadlines for Filing of Intervention Petitions and Public Comments in Palisades License Transfer Proceeding (Feb. 23, 2021) (ML21054A212) (Extension Request).

² Palisades Nuclear Plant and Big Rock Point Plant Consideration of Approval of Transfer of Control of Licenses and Conforming Amendments, 86 Fed. Reg. 8225 (Feb. 4, 2021).

³ Applicants' Opposition to Don't Waste Michigan, et al.'s Motion to Extend Filing Deadline (Feb. 23, 2021) (ML21054A320). Petitioners also filed a reply in response to the applicants' opposition. Reply in Support of Motion to Extend Deadlines for Filing of Intervention Petitions and Public Comments in Palisades License Transfer Proceeding (Feb. 24, 2021) (ML21055A411).

The Petitioners' request is denied, as Petitioners have not demonstrated good cause for an extension of time as required by 10 C.F.R. § 2.307. Petitioners' request is based on their asserted discovery of a significant number of historic documents recently added to ADAMS, the NRC's online collection of publicly available documents. Petitioners state that these documents are "potentially important" or "may be highly relevant" to issues relating to a hearing request or written comments.⁴ Petitioners further state that these documents were not previously available to them prior to their recent placement in public ADAMS (which the applicants contest). However, NRC regulations afford Petitioners the opportunity to submit a hearing request, or new or amended contentions, after the relevant deadline has passed where the criteria in 10 C.F.R. § 2.309(c) are met. An extension request is not warranted to provide Petitioners with time to determine the relevance or materiality of these documents.

With respect to the request to extend the deadline for the submission of written comments, per 10 C.F.R. § 2.1305, the Commission may consider, as appropriate, written comments received after the March 8, 2021 deadline, though written comments do not constitute part of the decisional record.

This Order is issued under my authority in 10 C.F.R. § 2.346(b).

IT IS SO ORDERED.



For the Commission

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland
This 3rd day of March 2021.

⁴ Extension Request at 3.

**Entergy Nuclear Operations, Inc, Holtec International (Palisades Nuclear Plant)
Docket No. 50-255-LT-2 & 72-007-LT
Order (Denying Petitioners' Extension Request)**

Counsel for Entergy Nuclear Operations, Inc

Pillsbury Winthrop Shaw Pittman LLP
1200 Seventeenth Street, NW
Washington, DC 20036
Anne R. Leidich, Esq.
David R. Lewis, Esq.
anne.leidich@pillsburylaw.com
david.lewis@pillsburylaw.com

Susan H. Raimo, Esq.
Entergy Services, LLC
101 Constitution Avenue, N.W.
Washington, D.C. 20001
sraimo@entergy.com

Counsel for Holtec International

Balch & Bingham LLP
1710 Sixth Avenue North
Birmingham, AL 35203-2015
Alan D. Lovett, Esq.
Nick Theodore, Esq.
alovett@balch.com
ntheodore@balch.com

Dated at Rockville, Maryland
this 3rd day of March 2021

Office of the Secretary of the Commission