



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

September 21, 2015

SECRETARY

The Honorable George K. Heartwell  
Mayor of the City of Grand Rapids  
300 Monroe Avenue, N.W.  
Grand Rapids, Michigan 49503

Dear Mayor Heartwell:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated July 30, 2015. In your letter, you expressed concern about the reactor pressure vessel at Entergy's Palisades Nuclear Plant, which is located within fifty miles of Grand Rapids. Specifically, your letter requests that the NRC require the licensee, Entergy Nuclear Operations, Inc., to conduct direct testing of physical samples from the Palisades reactor, rather than use mathematical interpolations from other nuclear plants. Along those lines, your letter recommended that the Commission uphold the Atomic Safety and Licensing Board's recent decision to hold an evidentiary hearing regarding materials issues associated with Palisades' reactor pressure vessel.

As your letter indicates, a hearing request on this subject is currently pending before the NRC. In March 2015, Beyond Nuclear, Don't Waste Michigan, Michigan Safe Energy Future – Shoreline Chapter, and the Nuclear Energy Information Service (collectively, "the petitioners") sought a hearing on Entergy's license amendment request concerning whether the Palisades' reactor vessel plate and weld materials provide adequate margins of safety against fracture. The Licensing Board granted the petitioners' request for a hearing on June 18, 2015. Entergy has appealed the Board's decision to the Commission; that appeal is pending. Given the pendency of the matter before both the Commission and the Licensing Board, the Commission cannot at this time discuss or comment on any issues involved in this matter. Under NRC regulations, the Commission has an adjudicatory role in this case, and all members of the Commission must remain impartial while the case is pending.

A copy of your letter and this response will be served on all the participants in this and a related *Palisades* proceeding.

Sincerely,

A handwritten signature in dark ink, appearing to read "Annette Vietti-Cook".

Annette L. Vietti-Cook



# City of Grand Rapids, Michigan

OFFICE OF THE MAYOR

GEORGE K. HEARTWELL  
MAYOR

July 30, 2015

Mr. Stephen G. Burns, Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dear Chairman Burns:

Re: Palisades Nuclear Power Plant, Covert, MI  
Atomic Safety and Licensing Board Panel decisions  
Docket No. 50-255-LA-2; ASLBP No. 15-939-04-LA-BD01  
June 18, 2015, and July 9, 2015

It has been my privilege to serve The City of Grand Rapids for the last eleven years. Grand Rapids is a thriving modern city of 200,000 citizens, whose industry and imagination have made our economy the most robust in the State of Michigan.

Grand Rapids is also located within fifty miles of the Palisades nuclear power plant in Covert, Michigan. In 2007, the Nuclear Regulatory Commission granted ENTERGY, the corporate owner of Palisades, a twenty year extension of its operating permit; this despite deep concerns of local residents and environmental groups about the safety of its badly "embrittled" reactor pressure vessel (RPV). ENTERGY has now applied for "regulatory relief" from nuclear safety standards regulating the reactor pressure vessel at Palisades. The conservative safety protocols adopted in 1985, under 10CFR50.61 should be maintained especially in regard to the Palisades nuclear plant. Palisades' reactor pressure vessel is acknowledged as the most embrittled in the U.S., and one of the oldest in the entire world.

ENTERGY's unprecedented alternative proposal would allow Palisades to avoid testing actual samples of the facility's most critical safety component, the reactor pressure vessel. Instead, ENTERGY would submit mathematical "interpolations" from other nuclear plants, while omitting any direct analysis of physical data taken from the Palisades reactor pressure vessel itself.

Without questioning the merits of NRC's more recent embrittlement protocols (10CFR60.61a), I feel any alternative to physical testing of the pressure vessel at Palisades, built in 1972, does not pertain to Palisades and should not be allowed.

July 30, 2015

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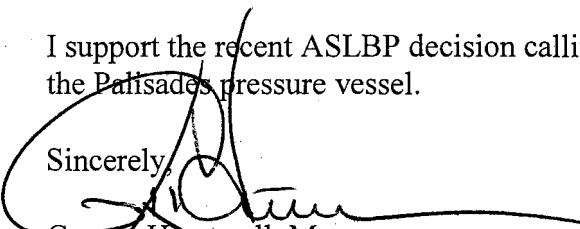
Palisades Nuclear Power Plant,  
Atomic Safety and Licensing Board Panel decisions

The Atomic Safety and Licensing Board Panel on June 18, 2015, found that testimony documented by intervening environmental petitioners demonstrated sufficient doubt as to the integrity of Palisades' pressure vessel. The Atomic Safety Board mandated a full evidentiary hearing regarding the safety of the embrittled pressure vessel at Palisades. As Mayor of Grand Rapids I strongly concur with this decision and urge the NRC to uphold its ASLBP Memorandum and Order of June 18, 2015. The Palisades Plant is located on the shores of Lake Michigan, the largest body of freshwater in North America, and the source of drinking water for millions of Americans.

Margins of Safety which have been built into the construction of and the regulation of nuclear power plants for many decades should not be weakened, especially in the case of critical pressure vessels at aging nuclear facilities like Palisades' pressurized water reactor. Palisades has already exceeded its original expected life of operation, forty years. Scrutiny of the Palisades reactor pressure vessel should be strengthened not diminished, as ENTERGY proposes.

I support the recent ASLBP decision calling for evidentiary hearings into the embrittlement of the Palisades pressure vessel.

Sincerely,



George Heartwell, Mayor  
City of Grand Rapids, MI

cc: Senator Debbie Stabenow  
Senator Gary Peters

Ronald M. Spitzer, ASLBP, Chief Administrative Judge  
[Ronald.spitzer@nrc.gov](mailto:Ronald.spitzer@nrc.gov)

Great Lakes and St. Lawrence Cities Initiative

Mark Muhich, Sierra Club Nuclear Free Michigan

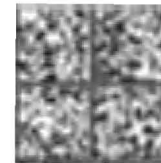
City of Grand Rapids  
Michigan

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Mr. Stephen G. Burns, Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

FWM-S3B 20555



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
ENTERGY NUCLEAR OPERATIONS, INC.	)	Docket No. 50-255-LA-2
(Entergy)	)	
	)	
(Palisades Nuclear Plant)	)	
	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **U.S. NUCLEAR REGULATORY COMMISSION RESPONSE TO JULY 30, 2015 MAYOR GEORGE K. HEARTWELL LETTER** have been served upon the following persons by Electronic Information Exchange.

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**Docket No. 50-255-LA-2**

**U.S. NUCLEAR REGULATORY COMMISSION RESPONSE TO JULY 30, 2015 MAYOR  
GEORGE K. HEARTWELL LETTER**

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[Original signed by Brian Newell \_\_\_\_\_]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 23<sup>rd</sup> day of September, 2015