

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

DON'T WASTE MICHIGAN, and	)	
MICHIGAN SAFE ENERGY	)	
FUTURE,	)	
	)	
Petitioner,	)	No. 26-1221
	)	
vs.	)	
	)	PETITION FOR REVIEW
UNITED STATES NUCLEAR	)	
REGULATORY COMMISSION and	)	
the UNITED STATES OF	)	
AMERICA,	)	
	)	
Respondents.	)	

Pursuant to 42 U.S.C. § 2239, 28 U.S.C. § 2344, 5 U.S.C. § 702, 42 U.S.C. § 10139, Fed. R. App. P. 15(a), and D.C. Cir. Rule 15(a), Petitioners, Don't Waste Michigan and Michigan Safe Energy Future, hereby petition for review of the following orders entered by the United States Nuclear Regulatory Commission (NRC or Commission): the Commission's Memorandum and Order CLI-26-7, issued on June 15, 2026, and Memorandum and Order CLI-26-9, issued on June 15, 2026, attached as Exhibits A and B.

Petitioners seek review of Orders CLI-26-7 and CLI-26-9 on the grounds that the Commission wrongfully and unlawfully applied the Atomic Energy Act (AEA), 42 U.S.C. §§ 2011 et seq.; NRC regulations, 10 C.F.R. §§ 50.90, 50.59; and the National Environmental Policy Act (NEPA), 42 U.S.C. § 4321 et seq.; and the Administrative Procedure Act (APA), § 706.

Petitioners further maintain that in Orders CLI-26-7 and CLI-26-9, the NRC wrongfully and unlawfully applied the AEA, NEPA, APA and/or NRC regulations when it ruled that Petitioners failed to plead any contentions that were admissible into the aforementioned proceeding. Specifically, Petitioners seek review of the Commission's rulings on the following contentions:

CLI-26-7

- Contention 1: The exemption in 10 C.F.R. § 50.12 is not a licensing action that should be part of this proceeding.
- Contention 2: An EIS is required
- Contention 3: A new operating license is required
- Contention 4: No statutory or regulatory basis to restart Palisades
- Contention 5: Invalid purpose and need statement in the Draft EA
- Contention 6: Inadequate discussion of alternatives in the Draft EA

CLI-26-9

- Contention 1: LAR to allow sleeving of steam generator tubes should not be allowed

Therefore, Petitioners respectfully request this Court to review, reverse and vacate Orders CLI-26-7 and CLI-26-9, order the dismissal of the license amendment applications under review, and grant such other and further relief as may be warranted, at law and in equity.

This Petition is timely because it is filed within the 60-day period established by the Hobbs Act, 28 U.S.C. § 2344, for bringing a petition for judicial review of an agency action. Orders CLI-26-7 and CLI-26-9 were issued on June 15, 2026.

Further, venue is appropriate within the D.C. Circuit pursuant to 28 U.S.C. § 2343.

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CO-COUNSEL FOR PETITIONING ORGANIZATIONS

CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2026, I served a copy of the Petition for Review that I filed this date upon the following persons of record in the underlying agency proceeding before the U.S. Nuclear Regulatory Commission:

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