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ENVIRONMENTALISTS APPEAL TO FEDERAL COURTS AGAINST HOLTEC'S PALISADES ATOMIC REACTOR RESTART

***In Washington D.C. and Cincinnati,
Groups Challenge Nuclear Regulatory
Commission's
Reversal of Permanent Shutdown, Approval for
Fuel Loading and Return to Operations***

COVERT TWP., MI, CINCINNATI, OH, and WASHINGTON, D.C., August 17, 2026--Don't Waste Michigan and Michigan Safe Energy Future have appealed to the Sixth Circuit U.S. Court of Appeals in Cincinnati, Ohio, as well as the U.S. Court of Appeals for the District of Columbia Circuit, continuing their years-long campaign opposing [Holtec International's unprecedented effort, to restart the](#)

[long closed Palisades atomic reactor](#). Palisades is located on the Lake Michigan shore in Covert Township, Van Buren County, southwest Michigan, near South Haven. The groups' attorneys, Terry Lodge of Toledo, Ohio, and Wallace Taylor of Cedar Rapids, Iowa, have provided legal counsel to Palisades' opponents in previous U.S. Nuclear Regulatory Commission (NRC) licensing proceedings and federal court actions since 2005 and 2014, respectively.

[The Sixth Circuit appeal, filed on July 22, 2026](#), involves the groups' challenge to NRC's approval of [an "Exemption Request" by Holtec](#), to reverse Palisades' previous owner, Entergy's official and legally binding certifications of permanent cessation of operations, and permanent removal of nuclear fuel from the reactor vessel, dated June 13, 2022. Entergy's certifications, docketed by NRC, meant the 60-year old Palisades reactor, designed in the mid-1960s, and first fired up in 1971, was closed for good, after [51 years of very troubled operations](#), never to again load nuclear fuel in the core, nor operate.

Entergy had permanently shut down the reactor on May 20, 2022, 11 days earlier than planned, due to the latest in 50 years of safety-critical Control Rod Drive Mechanism (CRDM) seal leaks. [As reported by the Union of Concerned Scientists](#), Palisades' CRDM seal leakage is the worst such Operating Experience in the nuclear power industry. The root cause of the problem has never been determined by Palisades' various owners over the past half-century, nor corrective action taken to prevent it from recurring again in the future.

The environmental coalition has objected for several years to Holtec and NRC's collusion in cobbling together of a "Regulatory Path to Reauthorize Power Operations," making it up out of thin air, picking and choosing from regulations never intended for application at closed reactors. [On November 17, 2025 the coalition initiated this litigation in the federal district court in western Michigan](#). But in late June, 2026 the chief judge there, Hala Y. Jarbou, ruled the case belongs instead at the federal appeals court level. The groups' refiling at the Sixth Circuit is in response to her ruling.

And [on August 14, 2026, the coalition also appealed to the U.S. Court of Appeals for the District of Columbia Circuit](#), against the NRC Commissioners' June 15, 2026 rejection of multiple safety and environmental contentions related to Palisades' restart. Over the course of years, the groups brought the contentions to NRC's Atomic Safety and Licensing Board (ASLB), challenging many of a very long list of Holtec License Amendment Requests, and other agency authorizations, needed for reactor restart. ASLB panels rejected every single contention, which the coalition then appealed to the NRC Commissioners. The Commissioners' final ruling two months ago means NRC's low-level environmental review, and approval of Holtec's mere sleeving of dangerously degraded steam generator tubes, to name but two examples, are now ripe for federal court action, which the coalition has just initiated.

[Holtec's contractor, Framatome of France, has admitted that a mere 14 months after restart, Palisades' degraded steam generator tubes will be at exponentially increasing risk of bursting.](#) The burst of a single steam generator tube would result in the release of a certain amount of hazardous ionizing radioactivity into the environment. But the cascading failure of a large enough number of tubes all at once could lead to a reactor core meltdown.

A 1982 NRC report ([CRAC-II, short for Calculation of Reactor Accident Consequences, also known as the 1982 Sandia Siting Study or NUREG/CR-2239](#)) estimated Palisades' meltdown would cause: a thousand acute radiation poisoning deaths; 7,000 radiation injuries; 10,000 latent cancer deaths; and more than \$50 billion in property damage downwind and downstream. Adjusting for inflation alone, property damage would now surmount \$175 billion in current dollar figures. And [the Associated Press has warned](#) that, given population growth near American atomic reactors like Palisades over the past several decades, a proportional increase in casualty figures would also result, given more people live, work, and recreate in harm's way. AP also cited neutron-embrittlement of the reactor pressure vessel (RPV), and risk of through-wall fracture from pressurized thermal shock, as a top example of NRC weakening safety regulations to accommodate continued operations at age-degraded reactors. NRC has admitted that Palisades, and the Point Beach Unit 2 reactor, also on Lake Michigan's shore in Wisconsin, are the two worst-embrittled RPVs in the country. Watchdogs have [warned about Palisades' embrittlement for more than three decades](#).

"All the king's horses, and all the king's men, invite cataclysm attempting to run Palisades again," said Michael Keegan, co-chair of Don't Waste Michigan in Monroe. "[Holtec is already more than two years behind its own schedule for restarting Palisades](#), and we hope a federal court injunction will make that already long delay permanent," Keegan added.

"The very long list of exemptions, waivers, license amendment requests, and other shortcuts on safety that NRC has approved means Holtec's zombie reactor restart at Palisades risks a Chernobyl- or [Fukushima-scale catastrophe](#) there, imperiling the entire Great Lakes, Great Lakes State, and beyond," said Kevin Kamps, executive director of Don't Waste Michigan in Kalamazoo. "Palisades' restart -- just like Holtec's proposed, so-called 'Small Modular Reactor' new builds there -- is unneeded, [insanely expensive for the public](#), and extremely risky for health, safety, security, and the environment. We look to the federal judiciary to stop such potentially catastrophic risk-taking, by a rogue executive branch agency, dead in its tracks, before it's too late," Kamps added.

" 'Crossing your fingers' and 'Palisades restart' don't belong in the same thought process, but yet here we are," said nuclear engineer Arnie Gundersen, who has served as the environmental coalition's expert witness in this NRC proceeding, and a previous one a dozen years ago.

Gundersen, who has 55 years of nuclear engineering experience, had warned for years that Holtec, which has never operated a reactor before, was making grave "rookie errors" at Palisades. In January 2025, it was revealed that Holtec, from 2022 to 2024, had neglected the basic safety-critical maintenance of performing a chemically preservative wet layup on Palisades' steam generator tubes, significantly worsening degradation that the reactor's original owner/operator, [Consumers Energy, admitted to the Michigan Public Service Commission two decades ago necessitated complete steam generator replacement. \(See page 2.\)](#) However, NRC has never required this, so Consumers and Entergy never did so.

"Now Holtec has performed mere 'Band-Aid fixes' -- degraded tube sleeving -- with NRC's approval, despite our coalition's legal challenges, and the extreme risks," Kamps said.

The Palisades precedent is being followed at other previously permanently closed atomic reactors, the owners of which are also now seeking restart, namely [Constellation Energy at the Christopher M. Crane Clean Energy Center](#) (formerly known as the Three Mile Island Nuclear Power Plant) near Harrisburg, Pennsylvania, and [NextEra at the Duane Arnold Energy Center](#) near Cedar Rapids, Iowa. [Three Mile Island Alert](#), watchdogs on Three Mile Island even before its Unit 2 reactor core meltdown on March 28, 1979, have intervened against the proposed restart of Unit 1 there. Taylor and Lodge represent Physicians for Social Responsibility Iowa opposing Duane Arnold's restart; on August 13, 2026, they petitioned for leave to intervene, and requested a hearing, in the NRC's licensing proceeding.

For more information, see Beyond Nuclear's "[Newest Nuke Nightmares at Palisades, 2022 to Present](#)". It is a one-stop-shop of web posts dating back to April 2022, when Holtec CEO Krishna Singh first floated "Small Modular Reactor" construction and operation at Palisades, and Michigan Governor Gretchen Whitmer first floated restarting the closed-for-good reactor.

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