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August 30, 2026

The Honorable Gretchen Whitmer

Governor, State of Michigan
P.O. Box 30013
Lansing, Michigan 48909

Re: Great Lakes Compact Withdrawal Approval, Pioneer Units 1 and 2, NRC Docket Nos. 50-616 and 50-617, NRC-2026-0265

Dear Governor Whitmer:

I write to bring to your attention a specific and unresolved compliance question arising from the application filed by SMR, LLC on behalf of Palisades SMR, LLC, a wholly-owned subsidiary of Holtec International, for a Limited Work Authorization and phased Construction Permit to build a dual-unit SMR-300 nuclear plant at the Palisades Energy Center in Covert, Michigan. The application is pending before the U.S. Nuclear Regulatory Commission under Docket Nos. 50-616 and 50-617, Docket ID NRC-2026-0265. How the Pioneer Units are deployed in Michigan is to be used as a template for Utah, and as a Technologist I would like proper deployment steps to be carefully followed as to protect quickly evaporating water resources affecting both of our regions.

The applicant's own Environmental Report submission, Section 2.2.2, ADAMS Accession No. ML25365A988, filed December 31, 2025, states that **the proposed Pioneer Units will withdraw 25,000 gallons per minute from Lake Michigan, amounting to up to 36 million gallons per day.**

The Great Lakes-St. Lawrence River Basin Water Resources Compact, enacted as federal law under Public Law 110-342, requires management and regulation of all new or increased withdrawals of 100,000 gallons per day or greater. The proposed withdrawal of 36 million gallons per day exceeds that threshold by a factor of 360. Under the Compact, regional review and approval by the Parties, including the State of Michigan, is required before such a withdrawal may proceed.

In its February 27, 2026, Federal Register notice, 91 FR 9892, the NRC characterized the Environmental Report as comprehensive. That characterization triggers the requirement under

10 CFR 51.76(b) that a full Environmental Impact Statement precede LWA issuance." A review of the public record for NRC Docket NRC-2026-0265 does not reflect that Compact approval has been sought or obtained. The Environmental Report does not demonstrate that Compact approval has been applied for. No regional review under the Compact appears in the publicly available record for this proceeding.

Additionally, the NRC has initiated a comprehensive Environmental Impact Statement covering the construction, operation, and decommissioning of Pioneer Units 1 and 2, with a draft expected in fall 2026. However, the comprehensive review is not complete. The applicant has requested LWA issuance by December 31, 2026. The NRC's own regulation at 10 CFR 51.76(b) provides that when an environmental report is comprehensive, a full Environmental Impact Statement must precede LWA issuance. Michigan's interests in Lake Michigan, as the primary drinking water source for approximately 12 million people and the ecological foundation of a \$7 billion Great Lakes fishery, are directly at issue in that review.

Most recently, on August 24, 2026, the NRC issued a Finding of No Significant Impact for a separate exemption allowing permanent excavation wall construction to begin before the LWA issues, and on August 28, 2026, the NRC issued that exemption. Construction activity on permanent below-grade structures is already authorized while the comprehensive environmental review covering Lake Michigan impacts remains incomplete."

I respectfully request that your office:

1. Confirm whether Great Lakes Compact approval for the proposed withdrawal of up to 36 million gallons per day has been sought by the applicant and whether Michigan has been engaged in any regional review under Public Law 110-342;
2. Withhold any Compact approval for this withdrawal until the NRC's comprehensive Environmental Impact Statement for Pioneer Units 1 and 2 has been completed, published in final form, and all required environmental analyses including thermal discharge impacts on Lake Michigan have been fully evaluated; and
3. Direct the appropriate Michigan state agencies to engage as cooperating agencies in the NRC environmental review process under 10 CFR Part 51, to ensure that Michigan's water, ecological, and public health interests are fully represented before any federal authorization issues.

The public record documents for this proceeding are accessible at [regulations.gov](https://www.regulations.gov) under Docket ID NRC-2026-0265 and through the NRC's Agencywide Documents Access and Management System at adams.nrc.gov. The Environmental Report is available at ADAMS Accession No. ML25365A988. The full application package is available at ADAMS Accession No. ML25365A983.

I am available to provide any additional documentation or analysis your office requires. Michigan's lakes are Michigan's responsibility. **The Compact gives your office independent authority to act. I am asking you to use it.**

Respectfully submitted,

January Walker

Executive, Infoton, LLC.

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Petitioner, Pro Se, NRC Docket Nos. 50-616 and 50-617

A fan of Blueberries

Primary Source References:

Environmental Report, ADAMS ML25365A988: nrc.gov/docs/ML2536/ML25365A988.html

Full Application Package, ADAMS ML25365A983: nrc.gov/docs/ML2536/ML25365A983.html

Public Law 110-342, Great Lakes Compact: congress.gov/110/plaws/publ342/PLAW-110publ342.pdf

10 CFR 51.76(b): ecfr.gov/current/title-10/chapter-I/part-51/subpart-A/subject-group-ECFR900488578baa903/section-51.76

NRC EIS Notice of Intent, 91 FR 36015 (June 15, 2026):

federalregister.gov/documents/2026/06/15/2026-11915

Comment:

Holtec International's Pioneer Units 1 and 2 propose to withdraw 36 million gallons per day from Lake Michigan without the Great Lakes Compact approval federal law requires and before the environmental review covering those impacts exists.

As a Technologist, I am acutely aware that in any complex system deployment, there is a required sequence which product managers and cybersecurity follows. Prerequisites must be satisfied before the next phase begins. You do not deploy before you test. You do not build before the foundation analysis is complete. You do not authorize construction before the environmental review exists. The production level impacts are devastating.

The NRC has defined a legal order of operations for nuclear reactor deployment which is codified in 10 CFR Part 50 and 10 CFR Part 51.

The required sequence for this deployment is:

1. File Environmental Report meeting 10 CFR 51.45 specification.
2. NRC prepares Environmental Impact Statement.
3. Draft EIS published for public comment.
4. Final EIS issued.

5. LWA issued.
6. Construction begins.

What is actually happening:

1. Environmental Report filed December 31, 2025. Four chapters. Construction impacts only.
2. NRC called it comprehensive February 27, 2026.
3. NRC initiated the EIS it should have had June 15, 2026.
4. NRC issued excavation wall exemption August 28, 2026. Construction begins.
5. Draft EIS: fall 2026. Not yet published.
6. Final EIS: after public comment on the draft. Does not exist.
7. LWA requested: December 31, 2026. Before the final EIS exists.

Steps 4 and 6 happened before steps 3, 5, and 6 were complete. Showing construction is beginning before the environmental review existed.

The attached letter has the full details on the withdrawal of 36 million gallons per day and the request for you to confirm whether Compact approval has been sought and to withhold it until the full environmental review is complete. The Palisades implementation is the national deployment template.

