

11. SANCTIONS FOR NON-COMPLIANCE

Section 2.1012(b)(1) of the LSN Rule states that a potential party to the licensing proceeding who cannot demonstrate substantial and timely compliance with the requirements of § 2.1003 relating to the availability of its documentary materials at the time that it requests participation in the high-level waste licensing proceeding will not be granted party status. The Presiding Officer will not make a finding of substantial and timely compliance for any person who is not in compliance with all applicable orders of the Pre-License Application Presiding Officer. A person denied party status or interested governmental participant status may request party status or interested governmental participant status upon a showing of subsequent compliance with the requirements of § 2.1003.

Additionally, a party may be denied permission to use specific documentary materials in the hearing if that material was not previously made available through the central LSN site to the other parties. These sanctions will be administered and imposed by the Presiding Officer as part of the adjudicatory process.

In light of the above, the LSNA will review participant non-compliance issues and make recommendations to the Pre-License Application Presiding Officer or the Presiding Officer.