



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

Office of Public Affairs Telephone: 301/415-8200

Washington, D.C. 20555-0001

E-mail: opa.resource@nrc.gov

Site: <http://www.nrc.gov>

No. 09-083

May 11, 2009

ATOMIC SAFETY & LICENSING BOARD ADMITS EIGHT PARTIES, 299 CONTENTIONS IN YUCCA MOUNTAIN PROCEEDING

The Nuclear Regulatory Commission's Atomic Safety and Licensing Boards (ASLBs) have granted a hearing on the Yucca Mountain license application, admitting eight petitioners as parties and a total of 299 contentions on safety and environmental issues.

In a 153-page order issued today, the ASLBs, designated as "construction authorization boards," granted the petitions to intervene filed by the states of Nevada and California; the Nuclear Energy Institute; Nye County, Nev.; Clark County, Nev., White Pine County, Nev.; Inyo County, Calif.; and a joint petition filed by Churchill, Esmeralda, Lander and Mineral counties, Nev. The Boards ruled that these petitioners demonstrated standing and raised at least one admissible contention regarding the application.

The boards rejected the petition of the Caliente Hot Springs Resort, which failed to demonstrate standing. The Timbisha Shoshone Tribe and the Timbisha Shoshone Yucca Mountain Oversight Program (now acting jointly), and the Native Community Action Council were not admitted at this time, because they have not demonstrated full compliance with the NRC's Licensing Support Network (LSN), an online database of documentation relating to the Yucca Mountain proceeding. Those petitioners could be admitted as parties at a later date if they demonstrate LSN compliance.

Eureka and Lincoln counties in Nevada were granted status as interested governmental participants.

The Department of Energy submitted its application last June for authorization to construct a geologic high-level nuclear waste repository at Yucca Mountain, about 100 miles northwest of Las Vegas. The Commission's notice of hearing was published in October, and in December, 12 petitions to intervene and 318 proposed contentions were filed with the ASLB. The construction authorization boards, each consisting of three judges, heard oral arguments on standing of petitioners and admissibility of contentions in Las Vegas from March 31-April 2. The boards issued a combined order today.

The boards noted that an unusually high proportion of proposed contentions were admitted, but noted that many are identical or nearly identical in their arguments. These are likely to be consolidated or grouped together to facilitate case management, the boards said.

Parties and petitioners have 10 days to appeal today's order to the Commission. They will then have another 10 days to reply to any appeals.

###

NOTE: Anyone wishing to take photos or use a camera to record any portion of a NRC meeting should contact the Office of Public Affairs beforehand.

News releases are available through a free *listserv* subscription at the following Web address: <http://www.nrc.gov/public-involve/listserv.html>. The NRC homepage at www.nrc.gov also offers a SUBSCRIBE link. E-mail notifications are sent to subscribers when news releases are posted to NRC's Web site.