UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:	)	
	)	Docket No. 63-001-HLW
U.S. DEPARTMENT OF ENERGY	)	
	)	ASLBP No. 09-892-HLW-CAB04
(License Application for Geologic Repository at Yucca Mountain)	)	
	)	February 26, 2010
	)	
	)	
	)	
	)	
	)	

SUPPLEMENT/AMENDMENT TO
PETITION OF THE STATE OF SOUTH CAROLINA TO INTERVENE

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ATTORNEYS for Proposed Intervenor, State of South Carolina

The State of South Carolina, in an abundance of caution, hereby supplements and amends its Petition to Intervene by adding the fourth contention set forth below:

SOC-MISC-04-ALL OF THE CHALLENGES IN SOUTH CAROLINA'S PETITION TO INTERVENE THAT WERE ADDRESSED TO DOE'S THEN-PROPOSED MOTION TO WITHDRAW APPLY EQUALLY TO THE ACTUAL MOTION TO WITHDRAW FILED BY DOE ON MARCH 3, 2010

South Carolina notes that all of its contentions that when filed were directed at the then-unfiled DOE Motion to Withdraw, apply with equal force to the actual Motion to Withdraw that was filed on March 3, 2010, several days after South Carolina's Petition to Intervene was filed. This point is already clear from the terms of South Carolina's Petition to Intervene, which references DOE's anticipated or proposed motion to withdraw, but this Supplement/Amendment to the Petition is filed simply to make the point explicit. The point-by-point analyses contained under the contentions of the original Petition to Intervene are incorporated herein by reference.

Consultation.

Pursuant to 10 C.F.R. §2.323(b), (which may or may not apply, given that the present document is not a motion, strictly speaking) the undersigned counsel certifies that he has made a sincere effort to contact other parties in the proceeding and resolve the issues raised in this document. While many parties have not been heard from, the result of that consultation is as follows:

Do not oppose amendment/supplementation:

Department of Energy

Nuclear Energy Institute

Nye County

No position at this time, reserving right to file a response:

State of Nevada

NRC staff

NCAC

Joint Timbisha Shoshone Tribal Group

Respectfully submitted,

Signed (electronically) by Kenneth P. Woodington

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Columbia, South Carolina
March 26, 2010

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
U.S. DEPARTMENT OF ENERGY	)	Docket No. 63-001-HLW
	)	ASLBP No. 09-892-HLW-CAB04
(High-Level Waste Repository)	)	
	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **SUPPLEMENT/AMENDMENT TO PETITION OF THE STATE OF SOUTH CAROLINA TO INTERVENE** dated March 26, 2010, have been served upon the following persons by Electronic Information Exchange.

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