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December 12, 2014

Mark J. Langer, Clerk
U.S. Court of Appeals for the District of Columbia Circuit
333 Constitution Avenue N.W.
Washington, D.C. 20001-2866

SUBJECT: *Beyond Nuclear et al. v. U.S. Nuclear Regulatory Commission, No. 14-1216 (consolidated with Nos. 14-1210, 14-1212, 14-1217)*

Dear Mr. Langer:

On behalf of Petitioners Beyond Nuclear et al., I am enclosing a corrected Docketing Statement, which amends Petitioners' original Docketing Statement (filed December 1, 2014). Please note that the corrected Docketing Statement includes the same Addendum (addressing standing) that was attached to the original Docketing Statement. The corrected Docketing Statement amends Petitioners' response to question 6(g) by identifying administrative cases filed by Petitioners after the publication of the rule and environmental impact statement on review, to protect Petitioners' rights while the appeal is pending.

Petitioners wish to note their disagreement with the Federal Respondents' recent statement to you that the pendency of these administrative cases shows Petitioners have failed to exhaust their administrative remedies. Letter from Andrew P. Averbach, NRC to Mark Langer, Clerk of Court (Dec. 5, 2014). In any event, Circuit Rule 32(b) requires that any such argument must be made in a motion to the Court rather than a letter to the Clerk. In the meantime, Petitioners agree with Mr. Averbach that the parties should attempt to resolve the government's concerns by discussing the matter.

Thank you for your consideration.

Sincerely,

/s/ Diane Curran
Enclosures: As stated
Cc: Service list

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

333 Constitution Avenue, NW
Washington, DC 20001-2866
Phone: 202-216-7000 | Facsimile: 202-219-8530

AGENCY DOCKETING STATEMENT

Administrative Agency Review Proceedings (To be completed by appellant/petitioner)

1. CASE NO. 14-1216 2. DATE DOCKETED: 10-29-2014

3. CASE NAME (lead parties only) Beyond Nuclear, Inc. v. U.S. Nuclear Regulatory Commission

4. TYPE OF CASE: ☒ Review ☐ Appeal ☐ Enforcement ☐ Complaint ☐ Tax Court

5. IS THIS CASE REQUIRED BY STATUTE TO BE EXPEDITED? ○ Yes ◉ No
If YES, cite statute

6. CASE INFORMATION:
a. Identify agency whose order is to be reviewed: U.S. Nuclear Regulatory Commission
b. Give agency docket or order number(s): RIN 3150-AJ20, NRC-2012-0246
c. Give date(s) of order(s): Order date: 8-26-2014 (date of Federal Register publication: 9-19-2014)
d. Has a request for rehearing or reconsideration been filed at the agency? ○ Yes ◉ No
If so, when was it filled? By whom?
Has the agency acted? ○ Yes ○ No If so, when?
e. Identify the basis of appellant's/petitioner's claim of standing. See D.C. Cir. Rule 15(c)(2):
Please see addendum.
f. Are any other cases involving the same underlying agency order pending in this Court or any other?
○ Yes ◉ No If YES, identify case name(s), docket number(s), and court(s)
Please see addendum.
g. Are any other cases, to counsel's knowledge, pending before the agency, this Court, another Circuit Court, or the Supreme Court which involve *substantially the same issues* as the instant case presents?
◉ Yes ○ No If YES, give case name(s) and number(s) of these cases and identify court/agency:
Please see second addendum.
h. Have the parties attempted to resolve the issues in this case through arbitration, mediation, or any other alternative for dispute resolution? ○ Yes ◉ No If YES, provide program name and participation dates.

Signature /s/ Diane Curran Date 12-12-2014
Name of Counsel for Appellant/Petitioner Diane Curran
Address 1726 M Street NW, Suite 600, Washington, DC 20036
E-Mail dcurran@harmoncurran.com Phone (202) 328-3500 Fax (202) 328-6918

ATTACH A CERTIFICATE OF SERVICE

Note: If counsel for any other party believes that the information submitted is inaccurate or incomplete, counsel may so advise the Clerk within 7 calendar days by letter, with copies to all other parties, specifically referring to the challenged statement.

<u>Addendum to Beyond Nuclear et al. Docketing Statement for No. 14-1216</u>

Question 6(f): "Are any other cases involving the same underlying agency order pending in this Court or any other."

Yes. *State of New York v. U.S. Nuclear Regulatory Commission*, No. 14-1210 (D.C. Circuit); *Prairie Island Indian Community v. U.S. Nuclear Regulatory Commission*, No. 14-1212 (D.C. Circuit); *NRDC v. U.S. Nuclear Regulatory Commission*, No. 14-1217 (D.C. Circuit).

Question 6(e): "Identify the basis of appellant's/petitioner's claim of standing."

To establish standing, a party filing suit in federal court must demonstrate three elements: first, that he or she has suffered a cognizable injury; second, that the injury is fairly traceable to the opposing party's conduct; and third, that a favorable court decision would be likely to redress the injury. *Friends of the Earth, Inc. v. Laidlaw Envtl. Servs. (TOC), Inc.*, 528 U.S. 167, 180-81 (2000). As this Court has recognized, an agency's failure to comply with the procedural requirements of the National Environmental Policy Act ("NEPA") constitutes a cognizable injury for purposes of establishing standing. *Nat'l Parks Conservation Ass'n v. Manson*, 414 F.3d 1, 4 (D.C. Cir. 2005).

In this case, Petitioners have been injured by the U.S. Nuclear Regulatory Commission's failure to comply with NEPA and the Atomic Energy Act in issuing

its Continued Storage Rule and Continued Storage Generic Environmental Impact Statement ("GEIS"). All of the Petitioners – Beyond Nuclear, Inc., Blue Ridge Environmental Defense League, Inc. ("BREDL"), Missouri Coalition for the Environment, Inc. ("MCE"), New England Coalition, Inc. ("NEC"), Nuclear Information and Resource Service, Inc. ("NIRS"), Riverkeeper, Inc., San Luis Obispo Mothers for Peace, Inc. ("SLOMP"), Southern Alliance for Clean Energy, Inc. ("SACE"), and Sustainable Energy and Economic Development Coalition, Inc. ("SEED Coalition") – have members who live within 50 miles of nuclear power plants that are currently in the process of being licensed or re-licensed, and thus have representational standing under the test established in *Hunt v. Washington State Apple Advertising Commission*, 432 U.S. 333, 343 (1977). The standing of the organizations' members to participate in this appeal is described in the attached declarations:

- Declaration of Victoria Clemons (November 17, 2014) (Beyond Nuclear)
- Declaration of Michael Keegan (1) (October 27, 2014) (Beyond Nuclear)
- Declaration of Michael Keegan (2) (October 27, 2014) (Beyond Nuclear)
- Declaration of Mary Ellen B. Connolly (September 23, 2014) (BREDL)
- Declaration of John A. Cruickshank (September 23, 2014) (BREDL)
- Declaration of Elena Day (September 24, 2014) (BREDL)
- Declaration of Stewart V. Horn (September 26, 2014) (BREDL)

- Declaration of Sandra Kurtz (September 23, 2014) (BREDL)
- Declaration of Garry L. Morgan (September 24, 2014) (BREDL)
- Declaration of Charles L. Moss Jr. (September 23, 2014) (BREDL)
- Declaration of Marilyn P. Moss (September 24, 2014) (BREDL)
- Declaration of Mark Haim (September 22, 2014) (MCE)
- Declaration of Mary Mosley (September 25, 2014) (MCE)
- Declaration of Karen Stewart (October 27, 2014) (NEC)
- Declaration of Emily Casey (September 26, 2014) (NIRS)
- Declaration of Amanda Hancock Anderson (September 26, 2014 (NIRS)
- Declaration of W. Russell Anderson (September 26, 2014) (NIRS)
- Declaration of Nancy Syrop (October 31, 2014) (Riverkeeper)
- Declaration of Elaine E. Holder (September 22, 2014) (SLOMP)
- Declaration of Lucy Jane Swanson (September 19, 2014 (SLOMP)
- Declaration of Louise Gorenflo (September 21, 2014) (SACE)
- Declaration of Daniel C. Kipnis (September 19, 2014) (SACE)
- Declaration of Jeannie V. McKinney (September 25, 2014) (SACE)
- Declaration of Mark P. Oncavage (September 22, 2014) (SACE)
- Declaration of Maria Rosales (September 25, 2014) (SACE)
- Declaration of Lon Burnam (September 24, 2014) (SEED Coalition)
- Declaration of Susan Dancer (1) (September 25, 2014) (SEED Coalition)

- Declaration of Susan Dancer (2) (September 25, 2014) (SEED Coalition)

All of the Petitioners participated in the rulemaking and NEPA processes by filing comments on the draft Continued Storage Rule and draft Continued Storage GEIS. All declarants have authorized their respective organizations to represent them in this appeal.

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF VICTORIA CLEMONS

Under penalty of perjury, I, Victoria Clemons, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Beyond Nuclear. I agree with Beyond Nuclear's mission of advocacy against commercial nuclear power and in favor of long-term reliance on sustainable energy alternatives, and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized Beyond Nuclear to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that Beyond Nuclear submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 330 East Perry Street, Port Clinton, Ohio 43452. My home lies nine (9) miles from the site of Davis-Besse Nuclear Power Station, Unit 1 ("Davis-Besse"). I live within the 10-mile emergency evacuation zone, and well within the fifty-mile radius distance from Davis-Besse at which the U.S. Nuclear Regulatory Commis-sion ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Davis-Besse if it allowed to continue operations presently, or if it is granted a 20-year license extension to commence in 2017, for which an application is pending. I am aware that Congress has established a policy that the spent fuel should be removed from the Davis-Besse site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel being generated presently, and anticipated to be generated in the future by Davis-Besse. For these reasons, I am concerned that Davis-Besse may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Davis-Besse site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Davis-Besse can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Davis-Besse in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my

concerns about the licensing of Davis-Besse would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Davis-Besse's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Victoria A. Clemons 11/17/2014

Victoria Clemons [Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF MICHAEL KEEGAN

Under penalty of perjury, I, Michael Keegan, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Beyond Nuclear. I agree with Beyond Nuclear's mission of advocacy against commercial nuclear power and in favor of long-term reliance on sustainable energy alternatives, and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized Beyond Nuclear to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that Beyond Nuclear submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 811 Harrison Street, Monroe, Michigan 48161. My home lies fewer than ten (10) miles from the site of the existing Fermi Nuclear Power Plant, Unit 2 ("Fermi 2"). I live well within the fifty-mile radius distance from Fermi 2 at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Fermi 2 if it receives a renewed license to continue operations. I am aware that Congress has established a policy that the spent fuel should be removed from the Fermi 2 site to a repository for permanent disposal. But I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel which has been generated and which is to be generated by Fermi 2. For these reasons, I am concerned that Fermi 2 may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Fermi 2 site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel presently and prospectively being generated by Fermi 2 can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Fermi 2 in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the relicensing of Fermi 2 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such

findings and therefore decide that denying Fermi 2's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Michael R Keegan
[Name]

10/27/2014
[Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF MICHAEL KEEGAN

Under penalty of perjury, I, Michael Keegan, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Beyond Nuclear. I agree with Beyond Nuclear's mission of advocacy against commercial nuclear power and in favor of long-term reliance on sustainable energy alternatives, and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized Beyond Nuclear to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that Beyond Nuclear submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 811 Harrison Street, Monroe, Michigan 48161. My home lies fewer than ten (10) miles from the site of the proposed Fermi Nuclear Power Plant, Unit 3 nuclear power plant ("Fermi 3"). I live well within the fifty-mile radius distance from Fermi 3 at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Fermi 3 if it is licensed for operations. I am aware that Congress has established a policy that the spent fuel should be removed from the Fermi 3 site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Fermi 3. For these reasons, I am concerned that Fermi 3 may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Fermi 3 site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Fermi 3 can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Fermi 3 in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of Fermi 3 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Fermi 3's license application is

appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Michael J. Keegan
[Name]

10/27/2014
[Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF MARY ELLEN B. CONNOLLY

Under penalty of perjury, I, Mary Ellen B. Connolly, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Blue Ridge Environmental Defense League ("BREDL"). I agree with BREDL's mission of clean and safe energy and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized BREDL to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that BREDL submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 664 Connolly Road, York South Carolina 29745. My home lies about 15 miles from the William States Lee III Nuclear Station ("WSL"). This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by WSL if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the WSL site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by WSL. For these reasons, I am concerned that WSL may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the WSL site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by WSL can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like WSL in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of WSL would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and

therefore decide that denying WSL's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

[The remainder of this page has been intentionally left blank]

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Mary Ellen B. Connolly
[Signature]

Sept. 23, 2014
[Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF John A. Cruickshank

Under penalty of perjury, I, John A. Cruickshank, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Blue Ridge Environmental Defense League and its chapter People's Alliance for Clean Energy ("BREDL"). I agree with BREDL's mission of clean and safe energy and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized BREDL to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that BREDL submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 324 Parkway St., Charlottesville, VA, 22902. My home lies 30 miles from the North Anna Power Station. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by North Anna Power Station Unit 3 if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the North Anna site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by North Anna. For these reasons, I am concerned that North Anna may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the North Anna site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by North Anna can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like North Anna in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of North Anna would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying North Anna's license application is

appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

[The remainder of this page has been intentionally left blank]

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

[Signature] 9/23/14
[Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF ELENA DAY

Under penalty of perjury, I, Elena Day, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Blue Ridge Environmental Defense League and its chapter People's Alliance for Clean Energy ("BREDL"). I agree with BREDL's mission of clean and safe energy and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized BREDL to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that BREDL submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 151 Buckingham Circle, Charlottesville, VA My home lies 03 miles from the North Anna Power Station This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by North Anna Power Station Unit 3 if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the North Anna site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by North Anna. For these reasons, I am concerned that North Anna may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the North Anna site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by North Anna can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like North Anna in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of North Anna would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying North Anna's license application is

appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Elena B Day
[Signature]

9/24/14
[Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF STEWART V. HORN

Under penalty of perjury, I, Stewart V. Horn, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Blue Ridge Environmental Defense League (BREDL) and its chapter Bellefonte Efficiency and Sustainability Team/Mothers Against Tennessee River Radiation (BEST/MATRR). I agree with BREDL's mission of environmental stewardship and clean, safe energy choices. I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized BREDL to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that BREDL submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 498 Keel Hollow Rd., New Hope, Al., 35760. My home lies 25 miles from the Bellefonte Nuclear Power Plant. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Bellefonte Nuclear Plant Units 3 and 4 if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Bellefonte site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Bellefonte. For these reasons, I am concerned that Bellefonte may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Bellefonte site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Bellefonte can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Bellefonte in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of Bellefonte would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Bellefonte's license application is

appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Stewart V. Horn September 26, 2014
[Signature] [Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF SANDRA KURTZ

Under penalty of perjury, I, Sandra Kurtz, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Blue Ridge Environmental Defense League and its chapter Bellefonte Efficiency and Sustainability Team/Mothers Against Tennessee River Radiation ("BREDL"). I agree with BREDL's mission of clean and safe energy and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized BREDL to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that BREDL submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 3701 Skylark Trail, Chattanooga, TN 37416. My home lies 15 miles from the Sequoyah Nuclear Power Plant. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Sequoyah if it is relicensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Sequoyah site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Sequoyah. For these reasons, I am concerned that Sequoyah may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Sequoyah site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Sequoyah can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Sequoyah in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the relicensing of Sequoyah would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Sequoyah's license renewal application

is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Sandra L. Kurtz
[Signature]

9/23/14
[Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF GARRY L. MORGAN

Under penalty of perjury, I, Garry L. Morgan, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Blue Ridge Environmental Defense League (BREDL) and its chapter Bellefonte Efficiency and Sustainability Team/Mothers Against Tennessee River Radiation (BEST/MATRR). I agree with BREDL's mission of environmental stewardship and clean, safe energy choices. I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized BREDL to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that BREDL submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 130 Rome St., Scottsboro, Al., 35769. My home lies 4.5 miles from the Bellefonte Nuclear Facility. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Bellefonte Nuclear Plant Units 3 and 4 if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Bellefonte site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Bellefonte. For these reasons, I am concerned that Bellefonte may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Bellefonte site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Bellefonte can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Bellefonte in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of Bellefonte would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Bellefonte's license application is

appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Garry L. Morgan
[Signature]

September 24, 2014
[Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF Charles L. Moss Jr.

Under penalty of perjury, I, Charles L. Moss Jr, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of the Blue Ridge Environmental Defense League ("BREDL"). I agree with BREDL's mission of clean and safe energy and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized BREDL to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that BREDL submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 4595 Hickory Grove Rd. Sharon SC 29742. My home lies about 6 miles from the William States Lee III Nuclear Station ("WSL"). This is less

than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by WSL if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the WSL site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by WSL. For these reasons, I am concerned that WSL may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the WSL site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by WSL can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like WSL in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of WSL would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying

WSL's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Charles J. Martin 9-23-14

[Signature] [Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF Marilyn P. Moss

Under penalty of perjury, I, Marilyn P. Moss, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of the Blue Ridge Environmental Defense League ("BREDL"). I agree with BREDL's mission of clean and safe energy and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized BREDL to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that BREDL submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 605 Owens Rd. Clover SC 29710. My home lies about 12 miles from the William States Lee III Nuclear Station ("WSL"). This is less than the

fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by WSL if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the WSL site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by WSL. For these reasons, I am concerned that WSL may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the WSL site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by WSL can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like WSL in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of WSL would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying

WSL's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Marilyn P. Moss
[Signature]

9-24-2014
[Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF MARK HAIM

Under penalty of perjury, I, Mark Haim, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of the Missouri Coalition for the Environment (MCE). I agree with MCE's mission of working to protect and restore the environment through education, public engagement, and legal action. I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized MCE to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that MCE submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 1402 Richardson Street, Columbia, MO 65201. My home lies 32 miles from the Callaway 1 nuclear reactor. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Callaway 1 if it is relicensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Callaway 1 site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Callaway 1. For these reasons, I am concerned that Callaway 1 may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Callaway 1 site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Callaway 1 can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Callaway 1 in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the relicensing of Callaway 1 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Callaway's license renewal application

is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Mark Hain
[Name]

9/22/14
[Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF MARY MOSLEY

Under penalty of perjury, I, Mary Mosley, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of the Missouri Coalition for the Environment (MCE). I agree with MCE's mission of working to protect and restore the environment through education, public engagement, and legal action. I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized MCE to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that MCE submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 1010 Vine Street, Fulton, MO 65251. My home lies 11miles from the Callaway 1 nuclear reactor. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Callaway 1 if it is relicensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Callaway 1 site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Callaway 1. For these reasons, I am concerned that Callaway 1 may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Callaway 1 site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Callaway 1 can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Callaway 1 in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the relicensing of Callaway 1 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Callaway's license renewal application

is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Mary Mosley
[Name]

September 25, 2014
[Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF KAREN STEWART

Under penalty of perjury, I, Karen Stewart, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of New England Coalition on Nuclear Pollution ("New England Coalition"). I agree with New England Coalition's mission of protecting human health and the environment from radiation hazards associated with commercial nuclear power and the uranium fuel cycle and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized New England Coalition to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that New England Coalition submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 546 Washington Road, Rye, New Hampshire 03870. My home lies 12 miles from the Seabrook Nuclear Generating Station. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Seabrook Nuclear Generating Station if it is relicensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Seabrook Nuclear Generating Station site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Seabrook Nuclear Generating Station. For these reasons, I am concerned that Seabrook Nuclear Generating Station may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Seabrook Nuclear Generating Station site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Seabrook Nuclear Generating Station can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Seabrook Nuclear Generating Station in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the relicensing of Seabrook Generating Station would be lessened.

And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Seabrook Generating Station's 's license renewal application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Karen Stewart
[Name]

10/27/14
[Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF EMILY CASEY

Under penalty of perjury, I, Emily Casey, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Nuclear Information and Resource Service (NIRS). I agree with NIRS's mission of working for a Sustainable non-nuclear energy policy and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized NIRS to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that NIRS submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 1430 E. Hartford St., Inverness, Florida. My home lies 20 miles from the proposed Levy County 1 and 2 nuclear site. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Levy County 1 and 2 if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Levy County 1 and 2 site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Levy County 1 and 2. For these reasons, I am concerned that Levy County 1 and 2 may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Levy County 1 and 2 site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Levy County 1 and 2 can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Levy County 1 and 2 in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of Levy County 1 and 2 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make

such findings and therefore decide that denying Levy County 1 and 2's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Emily Casey

Emily Casey

9/26/14

09/26/2014

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF AMANDA HANCOCK ANDERSON

Under penalty of perjury, I, Amanda Hancock Anderson, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Nuclear Information and Resource Service (NIRS). I agree with NIRS's mission of working for a Sustainable non-nuclear energy policy and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized NIRS to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that NIRS submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 516 NW 19th Avenue in Gainesville, FL. My home lies 48 miles from the proposed Levy County 1 and 2 nuclear site. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Levy County 1 and 2 if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Levy County 1 and 2 site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Levy County 1 and 2. For these reasons, I am concerned that Levy County 1 and 2 may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Levy County 1 and 2 site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Levy County 1 and 2 can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Levy County 1 and 2 in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of Levy County 1 and 2 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make

such findings and therefore decide that denying Levy County 1 and 2's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Amanda Hancock Anderson

Amanda Hancock Anderson

09/26/2014

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF W. RUSSELL ANDERSON

Under penalty of perjury, I, W. Russell Anderson, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Nuclear Information and Resource Service (NIRS). I agree with NIRS's mission of working for a Sustainable non-nuclear energy policy and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized NIRS to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that NIRS submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 516 NW 19th Avenue in Gainesville, FL. My home lies 48 miles from the proposed Levy County 1 and 2 nuclear site. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Levy County 1 and 2 if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Levy County 1 and 2 site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Levy County 1 and 2. For these reasons, I am concerned that Levy County 1 and 2 may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Levy County 1 and 2 site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Levy County 1 and 2 can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Levy County 1 and 2 in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of Levy County 1 and 2 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make

such findings and therefore decide that denying Levy County 1 and 2's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

W. Russell Anderson

09/26/14

09/26/2014

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF NANCY SYROP

Under penalty of perjury, I, Nancy Syrop, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Riverkeeper, Inc ("Riverkeeper"). I agree with Riverkeeper's mission of protecting the environmental, recreational and commercial integrity of the Hudson River and its tributaries and safeguarding the drinking water of nine million New York City and Hudson Valley residents. I have supported and continue to support Riverkeeper's long-standing efforts to use litigation, science, advocacy, and public education to raise and address concerns related to the environmental impacts caused by the operation of the Indian Point nuclear power plant. I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized Riverkeeper to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that Riverkeeper submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule

entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 36 Aldridge Road, Chappaqua, NY 10514. My home lies 19.5 miles from the Indian Point nuclear power plant. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by the Indian Point nuclear power plant if it is relicensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Indian Point nuclear power plant site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by the Indian Point nuclear power plant. For these reasons, I am concerned that the Indian Point nuclear power plant may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Indian Point nuclear power plant site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by the Indian Point nuclear power plant can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like the Indian Point nuclear power plant in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this

Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the relicensing of Indian Point nuclear generating Units 2 and 3 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying the Indian Point nuclear power plant's license renewal application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Nancy Syrup
[Name]

10/31/14
[Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF Elaine E. Holder

Under penalty of perjury, I, Elaine E. Holder, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of San Luis Obispo Mothers for Peace, Inc. I agree with San Luis Obispo Mothers for Peac, Inc.'s mission:

> San Luis Obispo Mothers for Peace is a non-profit organization concerned with the local dangers posed by the Diablo Canyon Nuclear Power Plant, and with the dangers of nuclear power, weapons and waste on national and global levels. Additionally, Mothers for Peac works to promote peace and a nuclear-free, carbon free world utilizing conservation and sustainable resources.

I also believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized San Luis Obispo Mothers for Peace, Inc. to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that San Luis Obispo Mothers for Peace, Inc. submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 274 Cuesta Drive, San Luis Obispo, CA 93405. My home lies 12 miles from the Diablo Canyon Nuclear Power Plant. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Diablo Canyon Nuclear Power Plant if it is relicensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Diablo Canyon Nuclear Power Plant site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Diablo Canyon Nuclear Power Plant. For these reasons, I am concerned that Diablo Canyon Nuclear Power Plant may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Diablo Canyon Nuclear Power Plant site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Diablo Canyon Nuclear Power Plant can be safely disposed of in a repository. I am also concerned NRC has not adequately evaluated the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Diablo Canyon Nuclear Power Plant in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the relicensing of Diablo Canyon Nuclear Power Plant would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Diablo Canyon Nuclear Power Plant's license renewal application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Elaine E. Holder

Elaine E. Holder

[Name]

September 22, 2014

September 22, 2014

[Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF LUCY JANE SWANSON

Under penalty of perjury, I, Lucy Jane Swanson, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of San Luis Obispo Mothers for Peace, Inc. I agree with San Luis Obispo Mothers for Peace, Inc.'s mission of protecting the people and property of residents of San Luis Obispo County from the dangers presented by the Diablo Canyon nuclear plant, and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized San Luis Obispo Mothers for Peace to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that San Luis Obispo Mothers for Peace submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 475 Squire Canyon Road, San Luis Obispo, California. My home lies 12 miles from the Diablo Canyon nuclear plant. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by the Diablo Canyon plant if it is relicensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Diablo Canyon site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Diablo Canyon nuclear plant. For these reasons, I am concerned that Diablo Canyon nuclear plant may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Diablo Canyon nuclear plant site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Diablo Canyon nuclear plant can be safely disposed of in a repository. I am also concerned that NRC has not adequately evaluated the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Diablo Canyon nuclear plant in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the relicensing of Diablo Canyon Unit 1 and Unit 2 would be

lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Diablo Canyon's license renewal application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Name Lucy Jane Swanson Date Sept. 19, 2014

Lucy Jane Swanson

September 19, 2014

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF LOUISE GORENFLO

Under penalty of perjury, I, Louise Gorenflo, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of the Southern Alliance for Clean Energy. I agree with the Southern Alliance for Clean Energy's mission of promoting responsible energy choices to solve global warming problems and ensure clean, safe, and healthy communities throughout the southeast and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized the Southern Alliance for Clean Energy to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that the Southern Alliance for Clean Energy submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 185 Hood Drive, Crossville, TN 38555. My home lies 26 miles from the Watts Bar nuclear plant. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by the Watts Bar nuclear plant if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Watts Bar nuclear plant site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by the Watts Bar nuclear plant. For these reasons, I am concerned that the Watts Bar nuclear plant may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Watts Bar site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by the Watts Bar nuclear plant can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like the Watts Bar nuclear plant in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of Watts Bar Unit 2 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate

environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Watts Bar's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Louise Gorenflo

9/21/14
Date

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF Daniel C. Kipnis

Under penalty of perjury, I, Daniel C. Kipnis, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Southern Alliance for Clean Energy. I agree with Southern Alliance for Clean Energy's mission of promoting responsible energy choices to solve global warming problems and ensure clean, safe, and healthy communities throughout the southeast and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized Southern Alliance for Clean Energy to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that Southern Alliance for Clean Energy submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 3156 Royal Palm Avenue, Miami Beach, FL. My home lies within 30 miles from the Turkey Point nuclear plant. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Turkey Point Units 6 and 7 if they is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Turkey Point site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Turkey Point Units 6 and 7. For these reasons, I am concerned that Turkey Point may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Turkey Point site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Turkey Point can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Turkey Point in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the Licensing of Turkey Point Reactors 6 and 7 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Turkey Point's license

application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Daniel C. Kypnis 9/19/14

[Name] [Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF JEANNIE V. MCKINNEY

Under penalty of perjury, I, Jeannie V. McKinney, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am both an employee and a current member of the Southern Alliance for Clean Energy. I agree with Southern Alliance for Clean Energy's mission of promoting responsible energy choices to solve global warming problems and ensure clean, safe, and healthy communities throughout the southeast and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized the Southern Alliance for Clean Energy to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that the Southern Alliance for Clean Energy submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013

and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 721 Walker Springs Road, Apt A-1, Knoxville, TN 37923. My home lies 45 miles from the Watts Bar nuclear plant. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by the Watts Bar nuclear plant if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Watts Bar nuclear plant site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by the Watts Bar nuclear plant. For these reasons, I am concerned that the Watts Bar nuclear plant may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Watts Bar site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by the Watts Bar nuclear plant can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like the Watts Bar nuclear plant in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my

concerns about the licensing of Watts Bar Unit 2 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Watts Bar's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Jeannie McKinney
Jeannie V. McKinney

09/25/14
Date

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF MARK P. ONCAVAGE

Under penalty of perjury, I, Mark P. Oncavage, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of Southern Alliance for Clean Energy. I agree with Southern Alliance for Clean Energy's mission of promoting responsible energy choices to solve global warming problems and ensure clean, safe, and healthy communities throughout the southeast and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized Southern Alliance for Clean Energy to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that Southern Alliance for Clean Energy submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 12200 SW 110th Avenue, Miami, FL 33176. My home lies 15 miles from the Turkey Point nuclear plant. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by the Turkey Point nuclear plant if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Turkey Point site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by the Turkey Point nuclear plant. For these reasons, I am concerned that the Turkey Point nuclear plant may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Turkey Point site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by the Turkey Point nuclear plant can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Turkey Point in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of Turkey Point Units 6 & 7 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make

such findings and therefore decide that denying Turkey Point's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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USCA Case #14-1216 Document #1527043 Filed: 12/12/2014 Page 101 of 119

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Mark P. Oncavage

Mark P. Oncavage

Sept. 22, 2014
Date

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF MARIA ROSALES

Under penalty of perjury, I, Maria Rosales, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of the Southern Alliance for Clean Energy. I agree with the Southern Alliance for Clean Energy's mission of promoting responsible energy choices to solve global warming problems and ensure clean, safe, and healthy communities throughout the southeast and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized the Southern Alliance for Clean Energy to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that the Southern Alliance for Clean Energy submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 36207 SR 30 Pikeville, TN 37367. My home lies 24 miles from the Watts Bar nuclear plant. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by the Watts Bar nuclear plant if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Watts Bar nuclear plant site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by the Watts Bar nuclear plant. For these reasons, I am concerned that the Watts Bar nuclear plant may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Watts Bar site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by the Watts Bar nuclear plant can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like the Watts Bar nuclear plant in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of Watts Bar Unit 2 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate

environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Watts Bar's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Maria Rosales

9|25|14
Date

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF REPRESENTATIVE LON BURNAM

Under penalty of perjury, I, Representative Lon Burnam, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of SEED Coalition. I agree with SEED Coalition's mission of working for clean air and clean energy in Texas, and protecting the public from risks of radioactive contamination, and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized SEED Coalition to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that SEED Coalition submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 2103 6th Avenue, Fort Worth, Texas, 76110. My home lies 40 miles from the Comanche Peak Nuclear Power Plant.

5. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

6. I am concerned about the health and safety risks posed by the spent fuel that will be generated by Comanche Peak 3 & 4 if they are licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the Comanche Peak site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by Comanche Peak. For these reasons, I am concerned that Comanche Peak may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the Comanche Peak site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

7. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by Comanche Peak can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like Comanche Peak in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

8. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of Comanche Peak 3 & 4 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an

adequate environmental analysis, I believe the NRC may determine it cannot make such findings and therefore decide that denying Comanche Peak's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

[Name] [Date]

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF SUSAN DANCER

Under penalty of perjury, I, Susan Dancer, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of SEED Coalition. I agree with SEED Coalition's mission of working for clean air and clean energy in Texas, and protecting the public from risks of radioactive contamination, and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized SEED Coalition to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that SEED Coalition submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 648 County Road 475, Blessing, Texas. My home lies 8 miles from the South Texas Project. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by South Texas Project if it is relicensed. I am aware that Congress has established a policy that the spent fuel should be removed from the South Texas Project site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by South Texas Project. For these reasons, I am concerned that South Texas Project may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the South Texas Project site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by South Texas Project can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like South Texas Project in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the relicensing of South Texas Project would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make

such findings and therefore decide that denying South Texas Project's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Susan Domen
[Name]

9-25-14
[Date]

4

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216
Respondents.	)	

DECLARATION OF SUSAN DANCER

Under penalty of perjury, I, Susan Dancer, declare as follows:

1. I make this declaration of my own personal knowledge. If called to testify as a witness, I could and would testify competently regarding its contents.

2. I am a current member of SEED Coalition. I agree with SEED Coalition's mission of working for clean air and clean energy in Texas, and protecting the public from risks of radioactive contamination, and I believe my health and well-being depend upon the health of the environment in the region where I live. I have authorized SEED Coalition to pursue this lawsuit challenging the NRC's rule titled, "Continued Storage of Spent Nuclear Fuel" and accompanying environmental analysis entitled, "Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel," on my behalf.

3. I know that SEED Coalition submitted comments to the U.S. Nuclear Regulatory Commission ("NRC") in 2013 regarding the NRC's proposed rule entitled "Waste Confidence Decision - Continued Storage of Spent Nuclear Fuel," which was published at 78 Fed. Reg. 56,776 on September 13, 2013 and its accompanying "Waste Confidence Generic Environmental Impact Statement," published the same day.

4. I live at 648 County Road 475, Blessing, Texas. My home lies 8 miles from the South Texas Project. This is less than the fifty-mile radius distance at which the U.S. Nuclear Regulatory Commission ("NRC") presumes a reactor accident will cause harm to my health and safety.

5. I am concerned about the health and safety risks posed by the spent fuel that will be generated by South Texas Project 3 & 4 if it is licensed. I am aware that Congress has established a policy that the spent fuel should be removed from the South Texas Project site to a repository for permanent disposal. But, I am concerned that permanent disposal of spent fuel may not be feasible. I am also concerned that the government will not find sufficient capacity in a repository or multiple repositories to accommodate the spent fuel to be generated by South Texas Project. For these reasons, I am concerned that South Texas Project may become a *de facto* long term storage depot or even waste disposal site. I am concerned that spent fuel stored for a lengthy period at the South Texas Project site may leak into the environment and harm my health and threaten my safety. Additionally, I am concerned about the health and safety of future generations in my family, and protection of the environment.

6. I am aware that NRC must conduct a full safety and environmental review whenever it licenses or re-licenses a nuclear power plant. However, I am concerned that NRC has not adequately evaluated the question of whether the spent fuel that will be generated by South Texas Project can be safely disposed of in a repository or the environmental, health, and safety consequences of storing spent nuclear fuel at facilities like South Texas Project in the meantime. In the absence of adequate safety findings and environmental analyses regarding these issues, I do not have confidence that my health and safety or the integrity of my environment will be protected from the adverse effects of exposure to spent reactor fuel.

7. Therefore I have authorized this petition for review of the NRC's Final Rule regarding Continued Storage of Spent Nuclear Fuel (Sept. 19, 2014) ("Continued Storage Rule") and its Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel (Sept. 2014) ("Continued Storage GEIS"). If this Court reverses the Continued Storage Rule and the Continued Storage GEIS and requires the NRC to make necessary safety findings regarding spent fuel disposal and fully analyze the environmental impacts of storing spent nuclear fuel, my concerns about the licensing of South Texas Project 3 & 4 would be lessened. And, further, if this Court requires the NRC to make safety findings and conduct an adequate environmental analysis, I believe the NRC may determine it cannot make

such findings and therefore decide that denying South Texas Project's license application is appropriate and required by law. Therefore, my concerns may be redressed by this lawsuit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Susan Duncan
[Name]

9-25-14
[Date]

SECOND ADDENDUM TO PETITIONERS' CORRECTED DOCKETING STATEMENT: Response to question 6(g)
December 12, 2014

After the U.S. Nuclear Regulatory Commission ("NRC") published the Continued Spent Fuel Storage Rule and Continued Spent Fuel Storage Generic Environmental Impact Statement ("GEIS") now on review before the Court, Petitioners filed several administrative cases before the NRC. These administrative cases seek resolution, in individual reactor licensing and license renewal proceedings, of similar issues as are raised in Petitioners' appeal of the Continued Spent Fuel Storage Rule and GEIS. Petitioners filed the cases in an abundance of caution, in order to protect their rights under the Atomic Energy Act and National Environmental Policy Act ("NEPA") pending resolution of this case.

1. Petitioners and other environmental organizations have filed hearing requests before the NRC in seventeen separate reactor licensing and re-licensing proceedings. The hearing requests (which are virtually identical) assert that the NRC has violated the Atomic Energy Act by failing, in each individual licensing proceeding, to make Waste Confidence findings regarding the safety of storing and disposing of spent reactor fuel. In each proceeding, the Petitioners and other organizations also filed a petition to suspend reactor licensing and re-licensing. The petition asserts that in the absence of Waste Confidence safety findings, the NRC lacks statutory authority to license or re-license any individual reactor. In *DTE Electric Co.* (Fermi Nuclear Power Plant, Unit 3), et al., CLI-14-09, __ NRC __ (Oct. 7, 2014), the NRC Commissioners consolidated the separate cases into a single proceeding.

These consolidated administrative cases raise an issue that is similar to an issue Petitioners raised in their Petition for Review to this Court: whether the Continued Storage Rule violated the Atomic Energy Act by eliminating generic Waste Confidence safety findings. The purpose of raising the issue in individual licensing proceedings is to ensure that, if the Court excuses the NRC from making Waste Confidence safety findings in a generic rule, the NRC must make the findings in individual licensing proceedings.

2. On December 8, 2014, Missouri Coalition for the Environment ("MCE"), a Petitioner in No. 14-1216, submitted a hearing request to the NRC which challenged the NRC's proposal to re-license the Callaway Unit 1 nuclear reactor. In that administrative case, MCE asserts that under NEPA, the NRC may not re-license Callaway Unit 1 because its environmental impact statement for Callaway

Unit 1 relies on the Continued Storage Rule and GEIS now on appeal before the Court. MCE does not intend to litigate the substantive claims in the hearing request; instead, by lodging the hearing request, MCE seeks to ensure "that any court decision resulting from MCE's appeal of the generic Continued Spent Fuel Storage Rule and GEIS will also be applied to the individual Callaway Unit 1 license renewal proceeding, which relies on the Continued Spent Fuel Storage Rule and GEIS." Missouri Coalition for the Environment's Hearing Request and Petition to Intervene in the License Renewal Proceeding for the Callaway Nuclear Power Plant at 2 (Dec. 8, 2014) (NRC Accession No. ML14342B010).

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC., et al.,	)	
Petitioners,	)	
v.	)	
NUCLEAR REGULATORY COMMISSION, and the UNITED STATES OF AMERICA,	)	No. 14-1216 (consolidated with Case Nos. 14-1210, 14-1212, 14-1217)
Respondents.	)	

CERTIFICATE OF SERVICE

I, Diane Curran, certify that on December 12, 2014, I served the foregoing corrected Docketing Statement (including attached addenda) on the following by posting it on the Court's Electronic Case Filing system:

Andrew P. Averbach, Esq.
Robert M. Rader, Esq.
Michelle D. Albert, Esq.
U.S. Nuclear Regulatory Commission
Office of General Counsel
11555 Rockville Pike,
Rockville, MD 20852-2738
Andrew.averbach@nrc.gov
Robert.rader@nrc.gov
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