

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE COMMISSION

In the Matter of)	
)	
WASTE CONTROL SPECIALISTS LLC)	Docket No. 72-1050
)	
(Consolidated Interim Storage Facility))	March 13, 2017
)	

**WASTE CONTROL SPECIALISTS LLC’S AND SIERRA CLUB’S JOINT MOTION
FOR REVISED SCHEDULE RELATED TO HEARING REQUESTS**

Sierra Club filed a “Motion for Extension of Time to Intervene in Licensing Proceeding,” dated March 2, 2017, requesting that the Commission grant Sierra Club a 120-day extension to the current March 31, 2017 deadline¹ for petitioners to submit hearing requests related to the Waste Control Specialists LLC (“WCS”) pending application for a Consolidated Interim Storage Facility (“CISF”). Although WCS does not agree to the full 120-day extension, WCS and Sierra Club (“Movants”) have consulted and agreed upon a revised schedule for any hearing requests related to the CISF application. Therefore, Sierra Club withdraws its earlier motion, dated March 2, 2017, in place of this joint motion.

Pursuant to 10 C.F.R. §§ 2.307 and 2.323, the Movants jointly request that the Commission adopt the following schedule:

- Deadline for all hearing requests from any petitioner on the CISF application – May 31, 2017
- Deadline for all answers to hearing requests submitted on or before the May 31, 2017 deadline – July 14, 2017
- Deadline for replies to answers for all hearing requests submitted on or before the May 31, 2017 deadline – July 21, 2017

¹ See License Application; Docketing and Opportunity to Request a Hearing and to Petition for Leave to Intervene, 82 Fed. Reg. 8773 (Jan. 30, 2017).

The above schedule will result in judicial economy and clarity for all participants. WCS plans to submit a Revision 1 to its CISF application by March 15, 2017. Although Revision 1 will primarily incorporate changes previously identified in responses to the Nuclear Regulatory Commission (“NRC”) staff requests for supplemental information, it also will provide some supplemental information, revise some of the organizational structure, and make some editorial and consistency changes. Rather than petitioners submitting potential challenges on Revision 0 first and then later challenges on Revision 1 under the late filing rules in 10 C.F.R. § 2.309(c), it would be more efficient for petitioners to prepare and submit all challenges at the same time based on Revision 1. Additionally, allowing WCS and the NRC staff to respond to all hearing requests at the same time will result in additional efficiency and avoid confusing cross-filings before an Atomic Safety and Licensing Board. The slightly extended time for answers also addresses the potential for more or longer hearing requests with the extension.

Counsel for the NRC staff has authorized the Movants to state that the staff does not oppose this schedule.

For these reasons, the Movants respectfully request that the Commission adopt the schedule identified above.

Respectfully submitted,

Executed in Accord with 10 C.F.R. § 2.304(d)

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Executed in Accord with 10 C.F.R. § 2.304(d)

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Counsel for Sierra Club

Dated in Washington, D.C.
this 13th day of March 2017

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CERTIFICATE OF SERVICE

I hereby certify that, on this date, a copy of “Waste Control Specialists LLC’s and Sierra Club’s Joint Motion for Revised Schedule Related to Hearing Requests” was filed through the E-Filing system.

Signed (electronically) by Stephen J. Burdick
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