

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Paul S. Ryerson, Chairman
Nicholas G. Trikouros
Dr. Gary S. Arnold

In the Matter of

HOLTEC INTERNATIONAL

(HI-STORE Consolidated Interim Storage
Facility)

Docket No. 72-1051

ASLBP No. 18-958-01-ISFSI-BD01

November 7, 2018

ORDER

(Regarding Location and Method of Oral Argument)

Before the Board are eleven filings on behalf of eighteen organizations¹ asserting representational standing or standing as of right based on residence in seven different states:

¹ Petition by Eddy-Lea Energy Alliance to Participate as an Interested Governmental Body (Sept. 4, 2018); Corrected Petition by the Board of Commissioners for Lea County, New Mexico to Participate as an Interested Local Government Body (Sept. 12, 2018); Petition by the City of Carlsbad, New Mexico to Participate as an Interested Local Governmental Body (Sept. 12, 2018); [Alliance for Environmental Strategies'] Petition to Intervene and Request a Hearing (Sept. 12, 2018); Petition by Eddy County to Participate as an Interested Local Governmental Body (Sept. 13, 2018); Petition by the City of Hobbs to Participate as an Interested Local Government Body (Sept. 13, 2018); Motion of Fasken Land and Minerals and Permian Basin Land and Royalty Owners to Dismiss Licensing Proceedings for HI-STORE Consolidated Interim Storage Facility (CISF) and WCS [CISF] (Sept. 14, 2018); Petition to Intervene and Request for Adjudicatory Hearing by Sierra Club (Sept. 14, 2018); Petition to Intervene and Request for Hearing of NAC International, Inc. (Sept. 14, 2018); Beyond Nuclear, Inc.'s Hearing Request and Petition to Intervene (Sept. 14, 2018); Petition of Don't Waste Michigan, Citizens' Environmental Coalition, Citizens for Alternatives to Chemical Contamination, Nuclear Energy Information Service, Public Citizen, Inc., San Luis Obispo Mothers for Peace and Nuclear Issues Study Group to Intervene and Request for an Adjudicatory Hearing (Sept. 14, 2018).

New Mexico, Michigan, New York, California, Texas, Illinois, and Georgia. The applicant, Holtec International, is based in New Jersey.

The Board will conduct a pre-hearing conference—most likely in January—to hear oral argument on standing and contention admissibility. We are considering where and how to conduct oral argument most efficiently. Possibilities include New Mexico, NRC headquarters in Rockville, Maryland (with the option of participating from other locations electronically), and perhaps elsewhere.

Accordingly, on or before November 19, 2018, any participant may, if it wishes, file and serve a brief statement of its position concerning the preferable location and method for oral argument on standing and contention admissibility. The Board does not expect that any such statement need be more than a page or two.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Paul S. Ryerson, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
November 7, 2018

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Regarding Location and Method of Oral Argument)** have been served upon the following persons by Electronic Information Exchange (EIE).

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[Original signed by Brian Newell]
Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 7th day of November, 2018