

November 19, 2018

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Before the Atomic Safety and Licensing Board

| | | |
|---------------------------------------|---|--------------------------------|
| In the Matter of |) | |
| |) | Docket No. 72-1051 |
| Holtec International |) | ASLBP No. 18-958-01-ISFSI-BD01 |
| |) | |
| HI-STORE Consolidated Interim Storage |) | |
| Facility |) | |

**HOLTEC INTERNATIONAL’S RESPONSE TO BOARD ORDER REGARDING
LOCATION AND METHOD OF ORAL ARGUMENT**

In accordance with the Atomic Safety and Licensing Board’s (the “Board’s”) November 7, 2018 Order,¹ Holtec International (“Holtec”) hereby submits a brief statement of its position concerning the preferable location for the prehearing conference and how to conduct oral argument most efficiently on standing and contention admissibility. Order at 2.

Location of Oral Argument. Holtec’s preference for the location of the prehearing conference is either Hobbs or Carlsbad, New Mexico, or the NRC headquarters in Rockville, Maryland. Holtec believes that the Hobbs/Carlsbad location would be most convenient for Lea and Eddy Counties, the City of Hobbs, and the Eddy-Lea Energy Alliance, as well as those individuals and entities who are proximate to the proposed site. The NRC headquarters location would be most convenient for Holtec (based in Camden, New Jersey), as well as for the Board, the NRC Staff, and counsel for Holtec, and presumably counsel for Beyond Nuclear and NAC International (all located in Washington, DC). We would note that, while counsel for Alliance for Environmental Strategies is located in Albuquerque, New Mexico, counsel for Don’t Waste

¹ Order (Regarding Location and Method of Oral Argument) (Nov. 7, 2018).

Michigan, Fasken Land and Minerals, and Sierra Club are located neither in New Mexico nor Washington/Maryland, but in Toledo, Ohio; Lawrence, Kansas; and Cedar Rapids, Iowa, respectively.

Should the Board decide to hold the prehearing conference in Hobbs or Carlsbad, Holtec has identified the following possible locations for the Board's consideration:

- Lea County Events Center, Hobbs, New Mexico
(www.leacounty.net/p/departments/eventcenter), which has a banquet hall with three adjacent rooms accommodating up to 120 people per room.
- The Center of Recreational Excellence (CORE), also in Hobbs
(www.corehobbs.com), which has two banquet rooms that can accommodate up to a total of 196 persons.
- The Pecos River Village Conference Center in Carlsbad, New Mexico
(<http://www.carlsbadchamber.com/pecos-river-village-conference-center>), which has an exhibit hall that can accommodate up to 200 persons in a classroom arrangement.
- The Walter Gerrells Performing Arts Center in Carlsbad, New Mexico
(<http://www.cityofcarlsbadnm.com/CommDevWalterGerrellsPA.cfm>), which has an exhibit and banquet hall that can accommodate nearly 700 persons.

Timing of Oral Argument. The week of January 22, 2019 (following the Martin Luther King Jr. birthday holiday) would be appropriate, but Holtec recognizes that it may be inconvenient for Federal participants to travel to New Mexico prior to January 22.

Scope of Oral Argument. To assist the parties in focusing their preparation efforts for oral argument, Holtec respectfully suggests that the Board (1) identify any issues or contentions

for which the Board has determined that it does not need the assistance of oral argument; and (2) identify specific information or argument that would assist the Board in making its decision.

Respectfully submitted,

/Signed electronically by Timothy J. V. Walsh/

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Counsel for HOLTEC INTERNATIONAL

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Holtec International's Response to Board Order Regarding Location and Method of Oral Argument has been served through the EFiled system on the participants in the above-captioned proceeding this 19th day of November 2018.

/signed electronically by Timothy J. V. Walsh/
Timothy J. V. Walsh