

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

In the Matter of:)
)
Holtec International) Docket No. 72-1051
)
(HI-STORE Consolidated Interim)
Storage Facility))

In the Matter of:)
)
Interim Storage Partners) Docket No. 72-1050
)
(WCS Consolidated Interim)
Storage Facility))
)

**NOTICE OF BEYOND NUCLEAR’S PETITION FOR REVIEW
OF NRC ORDER IN D.C. CIRCUIT U.S. COURT OF APPEALS**

In conformance with the Nuclear Regulatory Commission’s (“NRC’s”) policy regarding board notifications, *see Nuclear Mgmt. Co., L.L.C.* (Palisades Nuclear Plant), LBP 06-10, 63 N.R.C. 314, 333 (2006), Beyond Nuclear hereby provides the Atomic Safety and Licensing Board (“ASLB”) with notice of a new legal action that is relevant and material to the above-captioned licensing proceedings.

On December 27, 2018, Beyond Nuclear petitioned the U.S. Court of Appeals for the D.C. Circuit for review of an Order issued on October 29, 2018 in the above-captioned proceedings by the NRC Commissioners. *See Beyond Nuclear v. United States of America and the U.S. Nuclear Regulatory Commission*, No. 18-1340. Beyond Nuclear’s petition requests the Court review the Commission’s final decision not to dismiss the above-captioned ASLB proceedings as violating the Nuclear Waste Policy Act and Administrative Procedure Act or to open a new proceeding on this issue. At the same time, Beyond Nuclear filed a Motion to Hold

in Abeyance the Petition for Review pending the outcome of the proceedings referred to the ASLB by the Commission.

All filings in the court proceeding are publicly available.

Respectfully submitted,

 /signed electronically by/

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January 16, 2019

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CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2019, I posted NOTICE OF BEYOND NUCLEAR'S PETITION FOR REVIEW WITH D.C. CIRCUIT COURT OF APPEALS on the NRC's Electronic Information Exchange System.

___/signed electronically by/___
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January 16, 2019