

**CONTENT OF PETITION TO INTERVENE**

**Demonstrate Standing**

As required by 10 CFR 2.309(d), the petition must specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements for standing: (1) the name, address, and telephone number of the petitioner; (2) the nature of the petitioner's right under the Atomic Energy Act of 1954, as amended, to be made a party to the proceeding; (3) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order that may be entered in the proceeding on the petitioner's interest.

**Contentions**

In accordance with 10 CFR 2.309(f), the petition must also set forth the specific contentions that the petitioner seeks to have litigated in the proceeding. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner must provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion that supports the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to the specific sources and documents on which the petitioner intends to rely to support its position on the issue. The petition must include sufficient information to show that a genuine dispute exists with the applicant or licensee on a material issue of law or fact. Contentions must be limited to matters within the scope of the proceeding. The contention must be one that, if proven, would entitle the petitioner to relief. A petitioner who fails to satisfy the requirements at 10 CFR 2.309(f) with respect to at least one contention will not be permitted to participate as a party.

### **Parties to the Proceeding**

If the presiding officer grants the petition to intervene, the petitioner becomes a party to the proceeding, subject to any limitations in the order granting leave to intervene. Each party has the opportunity to participate fully in the conduct of the hearing with respect to resolution of its admitted contentions, including the opportunity to present evidence, consistent with the NRC's regulations, policies, and procedures.

### **Discretionary Intervention**

In accordance with 10 CFR 2.309(e), a person may seek discretionary intervention by addressing the factors in 2.309(e) instead of or in addition to asserting standing under 10 CFR 2.309(d)(1). The presiding officer may consider a request for discretionary intervention when at least one petitioner has established standing and at least one admissible contention has been admitted so that a hearing will be held. The presiding officer will balance the factors listed in 2.309(e) in ruling on a request for discretionary intervention.

### **PARTICIPATION BY A PERSON NOT A PARTY**

If a hearing is granted, any person who is not a party to the proceeding and is not affiliated with or represented by a party may, at the discretion of the presiding officer, be permitted to make a limited appearance pursuant to the provisions of 10 CFR 2.315(a). A person making a limited appearance may make an oral or written statement of his or her position on the issues but may not otherwise participate in the proceeding. A limited appearance may be made at any session of the hearing or at any prehearing conference, subject to the limits and conditions as may be imposed by the presiding officer. Details regarding the opportunity to make a limited appearance will be provided by the presiding officer if such sessions are scheduled.