



SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 17, 2020

IN RESPONSE, PLEASE
REFER TO: M201217

MEMORANDUM FOR: Jody C. Martin, Director
Office of Commission Appellate Adjudication

FROM: Annette L. Vietti-Cook, Secretary

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 2:30 P.M.,
THURSDAY, DECEMBER 17, 2020, COMMISSIONERS'
CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC VIA
TELECONFERENCE)

I. SECY-20-0012/12A/12B – INTERIM STORAGE PARTNERS, LLC (WCS
CONSOLIDATED INTERIM STORAGE FACILITY), APPEALS OF LBP-19-7: FASKEN
PROPOSED NEW CONTENTION BASED ON DRAFT ENVIRONMENTAL IMPACT
STATEMENT

The Commission¹ approved a Memorandum and Order addressing an appeal from petitioners Beyond Nuclear, Inc.; Fasken Land and Minerals, Ltd. and Permian Basin Land and Royalty Owners (together, Fasken); and a coalition of petitioners known as the “Joint Petitioners,” of an Atomic Safety and Licensing Board decision denying their request for a hearing in the Interim Storage Partners, LLC application to build a Consolidated Interim Storage Facility in Andrews, Texas; and addressing Fasken’s motion to admit a new Contention 5 based on the draft Environmental Impact Statement. The Memorandum and Order affirms the Board’s decision denying the hearing requests and remands Fasken’s Contention 5 to the Board for consideration.

(Subsequently, on December 17, 2020, the Secretary signed the Memorandum and Order.)

¹ Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a majority vote of the members present. Chairman Svinicki was present in the Conference Room. Commissioners Baran, Caputo, Wright, and Hanson participated in the meeting via teleconference.

II. SECY-20-0019/19A – INTERIM STORAGE PARTNERS, LLC (WCS CONSOLIDATED INTERIM STORAGE FACILITY), SIERRA CLUB APPEAL OF LBP-19-9 (DENYING MOTION TO AMEND AND GRANTING MOTION TO DISMISS), LBP-19-7 (DENIAL OF CONTENTIONS)

The Commission¹ approved a Memorandum and Order addressing Sierra Club's appeal of two Atomic Safety and Licensing Board decisions related to the application of Interim Storage Partners LLC for a license to construct and operate a consolidated interim storage facility in Andrews County, Texas. The Board's decision LBP-19-7 dismissed sixteen of seventeen proposed Sierra Club contentions, and LBP-19-9 dismissed Sierra Club's sole admitted contention as moot. The Memorandum and Order dismisses as moot Sierra Club's appeal of Contention 9 and affirms the Board with respect to all other contentions.

(Subsequently, on December 17, 2020, the Secretary signed the Memorandum and Order.)

III. SECY-20-0073 – NUCLEAR DEVELOPMENT, LLC (BELLEFONTE NUCLEAR PLANT, UNITS 1 AND 2), REQUEST FOR HEARING IN LICENSE TRANSFER PROCEEDING

The Commission¹ approved a Memorandum and Order addressing the petition to intervene and request for a hearing submitted by the Blue Ridge Environmental Defense League and its chapter Bellefonte Efficiency and Sustainability Team (collectively, Petitioners) regarding the license transfer application filed by Nuclear Development, LLC for the transfer of the construction permits for Bellefonte Nuclear Plant, Units 1 and 2. The Memorandum and Order denies the Petitioners' request for a hearing and petition to intervene and terminates the proceeding.

(Subsequently, on December 17, 2020, the Secretary signed the Memorandum and Order.)

cc: Chairman Svinicki
Commissioner Baran
Commissioner Caputo
Commissioner Wright
Commissioner Hanson
EDO
OGC
CFO
OCAA
OCA
OIG
OPA
ODs, RAs, ACRS, ASLBP (via E-Mail)
PDR