UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

BEYOND NUCLEAR, INC.,	)	
Petitioner,	)	Case No. 21-1056
	)	Consolidated with Nos. 21-1048, 21-1055, and 21-1179
v.	)	
UNITED STATES NUCLEAR REGULATORY COMMISSION and the UNITED STATES OF AMERICA,	)	
Respondents.	)	

PETITIONER'S NONBINDING STATEMENT OF ISSUES

Petitioner Beyond Nuclear, Inc. states that it intends to raise the following issues in this case:

- Did the U.S. Nuclear Regulatory Commission ("NRC") violate the Administrative Procedure Act ("APA"), 5 U.S.C. §§ 706(2)(A) and (C), and the Nuclear Waste Policy Act, 42 U.S.C. §§ 10222(a)(5)(A) and 10143 ("NWPA"), when it refused to dismiss the license application of Interim Storage Partners, LLC ("ISP") to build and operate a storage facility for spent (*i.e.,* used) nuclear reactor fuel, where the application contained

provisions for the federal government to assume title and responsibility for the spent fuel in contravention of the NWPA; and

- Did the NRC violate the APA and NWPA when it approved ISP's license application, despite containing provisions that contravene the NWPA?

Respectfully submitted,

/s/ Diane Curran
DIANE CURRAN
Harmon, Curran, Spielberg
& Eisenberg, LLP
1726 M Street NW, Suite 600
Washington, D.C. 20036
Tel: (202) 328-3500
Fax: (202) 328-6918
Email: dcurran@harmoncurran.com
Counsel for Beyond Nuclear

/s/ Mindy Goldstein
MINDY GOLDSTEIN
Turner Environmental Law Clinic
Emory University School of Law
1301 Clifton Road
Atlanta, GA 30322
Tel: (404) 727-3432
Fax: (404) 727-7853
Email: magolds@emory.edu
Counsel for Beyond Nuclear

November 8, 2021