

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA CIRCUIT

SIERRA CLUB, et al.,)	
)	
Petitioner,)	No. 21-1229
)	
vs.)	
)	CERTIFICATE OF OTHER
UNITED STATES NUCLEAR)	PARTIES IN THIS CASE,
REGULATORY COMMISSION and)	NON-BINDING STATEMENT OF
UNITED STATES OF AMERICA,)	ISSUES, AND CORPORATE
)	DISCLOSURE STATEMENT
Respondents.)	

CERTIFICATE OF OTHER PARTIES IN THIS CASE

Other parties in this case are United States Nuclear Regulatory Commission and United States of America, and Interim Storage Partners LLC.

CORPORATE DISCLOSURE STATEMENT

SIERRA CLUB

Sierra Club is a non-profit corporation incorporated in the State of California. Sierra Club has no parent corporation and no publicly held corporation owns any stock in Sierra Club.

CITIZENS FOR ALTERNATIVES TO CHEMICAL CONTAMINATION

Petitioner Citizens for Alternatives to Chemical Contamination (CACC) is a grassroots nonprofit environmental education and advocacy organization headquartered in central Michigan. CACC has existed since

1976 and has more than 150 members. CACC has no parent company and no publicly-held company has a 10% or greater ownership interest (such as stock or partnership shares) in it.

CITIZENS' ENVIRONMENTAL COALITION

Petitioner Citizens' Environmental Coalition (CEC) was founded in 1970, has about 5000 members, and educates people in western New York State of threats to members' health, public health and the environment. CEC seeks shutdown of New York's aging nuclear power reactors and supports sustainable energy alternatives. CEC has no parent company and no publicly-held company has a 10% or greater ownership interest (such as stock or partnership shares) in it.

DON'T WASTE MICHIGAN

Petitioner Don't Waste Michigan is a 30-year-old grassroots-oriented Michigan nonprofit corporation that has opposed various incarnations of nuclear power, from commercial nuclear power plants to policy and practical plans for disposal of radioactive waste, and its members and engages in public education and legal and administrative advocacy in licensing proceedings. Don't Waste Michigan has no parent company and no publicly-held company has a 10% or greater ownership interest (such as stock or partnership shares) in it.

NUCLEAR ENERGY INFORMATION SERVICE

Petitioner Nuclear Energy Information Service (NEIS) is a non-profit organization committed to ending nuclear power in this country and worldwide. Located in Chicago, Illinois with over 200 members, NEIS builds grassroots, nonviolent opposition to nuclear power; and advocates sustainable energy alternatives. NEIS has no parent company and no publicly-held company has a 10% or greater ownership interest (such as stock or partnership shares) in it.

PUBLIC CITIZEN, INC.

Petitioner Public Citizen, Inc. is a nonprofit consumer advocacy organization that defends democracy, resists corporate power and works to ensure that government works for the people and not for big corporations. The organization has 400,000 members and supporters throughout the country, is headquartered in Washington, D.C. and maintains a branch office in Austin, Texas. Public Citizen has no parent company and no publicly-held company has a 10% or greater ownership interest (such as stock or partnership shares) in it.

***SUSTAINABLE ENERGY AND ECONOMIC DEVELOPMENT
COALITION***

Petitioner Sustainable Energy and Economic Development (SEED)

Coalition is a grassroots organization with 2000 members, mainly in Texas. SEED is located in Austin, Texas and advocates for clean air and clean energy, solar and wind development, and opposes continued coal burning. SEED Coalition works to protect its members and the general public from radiological injury. SEED has no parent company and no publicly-held company has a 10% or greater ownership interest (such as stock or partnership shares) in it.

SAN LUIS OBISPO MOTHERS FOR PEACE

Petitioner San Luis Obispo Mothers for Peace (SLOMFP) is a non-profit organization based in California with 1,400 supporters and 50 formal voting members that historically has opposed the dangers posed by Diablo Canyon Nuclear Plant, nuclear weapons, and radioactive waste. SLOMFP promotes peace, environmental and social justice, and renewable energy, and measures to protect its members' and public health from radiological injury. SLOMFP has 1,400 supporters and 50 formal voting members. SLOMFP has no parent company and no publicly-held company has a 10% or greater ownership interest (such as stock or partnership shares) in it.

NON-BINDING STATEMENT OF ISSUES

Petitioners expect that they will present the following violations of NEPA as issues in this case:

1. The purpose and need statement in the EIS does not discuss the possibility that the ISP facility would become a de facto permanent repository if a designated permanent repository is never established.

2. The description of the proposed action is confusing and contradictory. It is not clear what aspect of the entire ISP project is being considered in the EIS.

3. The EIS does not discuss the fact that construction and operation of a consolidated interim storage (CIS) facility is illegal under the Nuclear Waste Policy Act (NWPA) and the Atomic Energy Act (AEA).

4. The EIS does not address the fact that the anticipated relicensing period of 60 years for the ISP facility is longer than the 20 years for which the storage containers are licensed.

5. The EIS does not adequately discuss the impacts of transportation of the nuclear waste to the ISP facility because the transportation routes are not identified and separating the transportation phase of the project from the storage aspects results in segmentation. And the EIS ignores a 2019 report from the DOE's Nuclear Waste Technical Review Board which states that nuclear waste cannot be safely shipped until at least 2070, and perhaps not until 2100.

6. The EIS presents an inadequate discussion of alternatives because it does not discuss Hardened Onsite Storage Systems (HOSS) and certain “mitigated” versions of the ISP project, such as the ISP plan but with a dry storage transfer (“DTS”) system in place, or the plan with emissions mitigation controls, or having the facility operated by the Federal government, or the plan with security protections in place as alternatives.

7. The ISP project will have an impact on geology and groundwater that is not adequately examined or analyzed in the EIS.

8. The EIS conducts an inadequate discussion of the likelihood and impacts of earthquakes on the ISP facility.

9. The EIS does not properly and adequately address the environmental justice issues related to the ISP project.

10. If a permanent repository is ever established the waste stored at the ISP facility will have to be repackaged for shipment to the repository. This will require a dry transfer system (DTS). DTS involves dangerous and untested technology and procedures which are not discussed in the EIS.

/s/ *Wallace L. Taylor*

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MICHIGAN, *ET AL.*

CERTIFICATE OF SERVICE

This motion was served by the ECF electronic system on December
15, 2021.

/s/ *Wallace L. Taylor*