

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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| DON'T WASTE MICHIGAN, <i>et al.</i> , |) | |
| Petitioners, |) | Case No. 21-1048 |
| v. |) | (Consolidated with D.C. Cir. |
| UNITED STATES NUCLEAR |) | Nos. 21-1055, 21-1056, |
| REGULATORY COMMISSION and |) | 21-1179, 21-1227, 21-1230, |
| the UNITED STATES OF |) | 21-123112-1151) |
| AMERICA, |) | |
| Respondents, |) | |
| and |) | |
| INTERIM STORAGE PARTNERS |) | |
| LLC, |) | |
| Intervenor. |) | |

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**PETITIONERS' MOTION FOR LEAVE
TO FILE LATE-FILE BRIEF**

Now come Petitioners Don't Waste Michigan, *et al.*,¹ by through counsel,

¹Petitioners are comprised of Don't Waste Michigan; Public Citizen, Inc.; San Luis Obispo Mothers for Peace; Citizens for Alternatives to Chemical Contamination; Nuclear Energy Information Service; Citizens' Environmental Coalition; Sustainable Energy and Economic Development Coalition; and Leona Morgan, an individual.

and move the Court for leave to late-file their opening Brief and Addendum in this matter.

The deadline for filing of Petitioners' Brief was March 18, 2022. However, Petitioners filed their Brief at approximately 12:01 a.m. on March 19, 2022 – which was two minutes beyond the 11:59 p.m. March 18 deadline -- and then filed their Addendum approximately 4 hours later, also on March 19, 2022.

Petitioners' counsel has conferred with counsel for the United States, the U.S. Nuclear Regulatory Commission, and Interim Storage Partners, LLC, and all opposing counsel have stated that they do not oppose the granting of this Motion.

WHEREFORE, Petitioners Don't Waste Michigan, *et al.*, pray the Court accept their Opening Brief (Proof) and accompanying Addendum for record and that the same be deemed timely-filed.

March 24, 2022

/s/ Terry J. Lodge
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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of March, 2022, I filed the foregoing

Petitioners' Motion for Leave to Late-File Brief in the Court's electronic case filing system, which according to its protocols would automatically be served upon all counsel of record.

/s/ Terry J. Lodge
Terry J. Lodge
Co-Counsel for Petitioners

CERTIFICATE OF COMPLIANCE

The foregoing Petitioners' Motion for Leave complies with the typeface requirements of Fed. R. App. P. 32(a)(5); the type-style requirements of Fed. R. App. P. 32(a)(6); the length limitation set forth in F.R.App.P. 27(d)(2)(a); and the applicable rules for the U.S. Court of Appeals for the District of Columbia Circuit. The Memorandum was prepared in 14-point, double spaced Times New Roman font using Wordperfect 4X. The Motion contains 188 words.

/s/ Terry J. Lodge
Terry J. Lodge
Co-Counsel for Petitioners