

May 2010
High-level Waste Hearings
Summary Table

High-Level Waste hearing

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MOTIONS AND PLEADINGS

Date	May 4	May 4	May 4
	<p><u>ANSWER OF CLARK COUNTY, NEVADA TO PETITIONS TO INTERVENE OF THE PRAIRIE ISLAND INDIAN COMMUNITY AND THE NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS</u></p> <p>Clark County joins in the Answers filed today by the State of Nevada ("Nevada") in response to the Petitioners' requests. Nevada's Answers address each of the Petitioners' lack of standing, untimeliness, and matters of LSN compliance. Nevada's Answers also address in detail each element of the proffered contentions. Clark County files this Answer to offer the following additional points regarding the Petitioners' contrived claims of timeliness.</p>	<p>May 4 - JOINT TIMBISHA SHOSHONE TRIBAL GROUP'S RESPONSE TO PETITION TO INTERVENE BY THE NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS</p> <p>The Joint Timbisha Shoshone Tribal Group joins with and supports the State of Nevada's Answer to the National Association of Regulatory Utility Commissioners Petition to Intervene.</p> <p>May 4 - JOINT TIMBISHA SHOSHONE TRIBAL GROUP'S RESPONSE TO PETITION TO INTERVENE BY THE PRAIRIE ISLAND INDIAN COMMUNITY</p> <p>The Joint Timbisha Shoshone Tribal Group joins with and supports the State of Nevada's Answer to Prairie Island Indian Community's Petition to Intervene, excepting that portion of Nevada's Answer relating to Prairie Island's Licensing Support Network compliance (Section IV)</p>	<p><u>NRC STAFF ANSWER TO NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS' PETITION TO INTERVENE INTRODUCTION</u></p> <p>NARUC's Petition should be denied because NARUC has not demonstrated standing and has not proffered an admissible contention.</p>
Date	May 4	May 4	May 4
	<p><u>NRC STAFF ANSWER TO PETITION TO INTERVENE OF THE PRAIRIE ISLAND INDIAN COMMUNITY</u></p> <p>Because PIIC did not submit an admissible contention, the Board should deny PIIC's petition to intervene. The Board should allow PIIC to participate as an affected, Federally recognized Indian Tribe pursuant to 10 C.F.R. § 2.315(c), if requested.</p>	<p><u>NYE COUNTY ANSWERS TO THE PETITIONS TO INTERVENE FILED BY THE NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS, AND THE PRAIRIE ISLAND INDIAN COMMUNITY</u></p> <p>Nye County supports the intervention of these parties who have demonstrated standing and a stake in this proceeding, and have met the requirements of 10 C.F.R. §§ 2.309(a) through (g). Nye County previously filed its support of all five petitioners, including the Additional Petitioners, on March 26, 2010, but out of an abundance of caution, is re-filing its support in accordance with the Board's April 27, 2010 Order Setting Briefing Schedule. By granting intervention, the CAB assures that all perspectives are considered as it determines whether to grant, deny, or condition DOE's Motion to Withdraw in this licensing proceeding which has major im-</p>	<p><u>STATE OF NEVADA'S ANSWER TO PRAIRIE ISLAND INDIAN COMMUNITY'S PETITION TO INTERVENE</u></p> <p>Based upon the foregoing analysis of PIIC's standing, timeliness and LSN compliance, the petition of PIIC to intervene should be denied.</p>

		plications for national nuclear policy. For the reasons stated in the Additional Petitioners' filings in response to the requirements of 10 C.F.R. §§ 2.309(a)-(g), which responses are incorporated herein by reference, Nye County supports the late intervention of each of the Additional Petitioners in this proceeding.	
Date	May 4	May 6	May 6
	<p><u>STATE OF NEVADA'S ANSWER TO THE NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS' PETITION TO INTERVENE</u> NARUC's Petition should be denied.</p>	<p>FOUR NEVADA COUNTIES OF CHURCHILL, ESMERALDA, LANDER AND MINERAL SUPPLEMENT TO ITS MARCH 29, 2010 ANSWER TO THE PETITIONS TO INTERVENE FILED BY THE STATE OF SOUTH CAROLINA, STATE OF WASHINGTON, AIKEN COUNTY, SOUTH CAROLINA, THE NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS, AND THE PRAIRIE ISLAND INDIAN COMMUNITY</p> <p>In accordance with the Construction Authorization Board 04's April 27, 2010 Order (Setting Briefing Schedule), the Four Nevada Counties of Churchill, Esmeralda, Lander and Mineral hereby reaffirm and supplement its previously filed March 29, 2010 Answer ("Answer") to the Petitions to Intervene Filed by the State of South Carolina, State of Washington, Aiken County, South Carolina, the National Association of Regulatory Utility Commissioners, and the Prairie Island Indian Community (collectively, the "Petitioners"). The Four Nevada Counties continue to have no objection to Petitioners' intervention so long as they have met the requirements for intervention set forth in 10 C.F.R. § 2.309 or, alternatively, 10 C.F.R. § 2.315. Additionally, the Four Nevada Counties file this supplement to its March 29, 2010 Answer to state its support for the intervention of the Petitioners in this proceeding. The Petitioners present a unique perspective with respect to spent nuclear fuel storage and the Yucca Mountain Repository. The Four Nevada Counties believe permitting intervention by the Petitioners will only benefit the licensing process by allowing a full development and fair hearing on the issues at hand.</p>	<p><u>AIKEN COUNTY RESPONSE IN OPPOSITION TO DOE'S MOTION TO WITHDRAW</u></p> <p>Aiken County has consistently argued that the Federal Court of Appeals is the appropriate, Congressionally-sanctioned forum for civil actions stemming from a violation of the Department of Energy's, ("DOE's"), duty to seek licensure for the Yucca Mountain repository under the Nuclear Waste Policy Act, ("NWPA"). Aiken County petitioned for mandamus relief before the United States Court of Appeals for the District of Columbia Circuit pertaining to DOE's motion to withdraw. Because Aiken County also petitioned to intervene before the Licensing Board, following DOE's submission of its motion to withdraw, Aiken County submits this response in opposition to the motion to withdraw, for the reasons set forth below.</p>
Date	May 20	May 22	May 23

Date	May 23	May 26	