

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

Sustainable Energy and Economic
Development Coalition, Public Citizen,
Susan Dancer,

Petitioners,

v.

United States Nuclear Regulatory Commission
And the United States of America,
Respondents.

Docket No. 16-1108
NRC-CLI-15-07
NRC 81FR15134
May 16, 2016

PETITIONERS' STATEMENT OF ISSUES TO BE RAISED

Pursuant to the Order of April 14, 2016, the petitioners state the following issues to be raised in their petition for review:

1. Did the NRC err in its interpretation and application of the Atomic Energy Act, 42 U.S.C. 2133(d) and the Administrative Procedure Act 5 U.S.C. 551 et seq. related to the prohibition on licensing activities that are subject to the ownership, control, control and domination of a foreign entity?
2. Are the operating licenses for South Texas Project Units 3 & 4 invalid because of the violation of the Atomic Energy Act, 42 U.S.C. 2133(d)?
3. Did the NRC violate the National Environmental Policy Act, 42 USC 4321 et seq., the Administrative Procedure Act 5 U.S.C. 551 et seq. and the Atomic Energy Act 42 U.S.C. 2011 et seq. by adopting the Continued Spent Fuel Storage Rule, 79 Fed. Reg. 56238 (Sept. 19, 2014), and the Generic Environmental Impact Statement for the Continued Spent Fuel Storage Rule, 79 Fed. Reg. 56263 (Sept. 19, 2014)?
4. Are the operating licenses for South Texas Project Units 3 & 4 invalid because of the adoption of the Continued Spent Fuel Storage Rule, 79 Fed.

Reg. 56238 (Sept. 19, 2014), and the Generic Environmental Impact Statement for the Continued Spent Fuel Storage Rule, 79 Fed. Reg. 56263 (Sept. 19, 2014)?

Respectfully submitted,

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(admission pending)

Counsel for Petitioners

Date: May 16, 2016

CERTIFICATE OF SERVICE

Undersigned certifies that on May 16, 2016, a copy of the foregoing statement of issues to be raised was filed with the Clerk of the Court and served on counsel of record through the CM/ECF system.

Robert V. Eye