

September 13, 2018

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

In the Matter of	)	
	)	Docket No. 72-1051
Holtec International	)	
	)	
HI-STORE Consolidated Interim	)	
Storage Facility	)	
)		

**PETITION BY EDDY COUNTY TO PARTICIPATE AS AN  
INTERESTED LOCAL GOVERNMENTAL BODY**

On March 30, 2017, Holtec International filed its application for a license to construct and operate the HI-STORE Consolidated Interim Storage Facility in Lea County, New Mexico. On July 16, 2018, the Nuclear Regulatory Commission published a notice of opportunity to request a hearing and petition for leave to intervene. 83 Fed .Reg. 32919. The notice invited any State, local governmental body, Federally-recognized Indian Tribe, or agency thereof to participate as a non-party in the proceeding on the HI-STORE application, if one is initiated.

Section 2.315(c) of the Nuclear Regulatory Commission’s Rules of Practice, 10 C.F.R. § 2.315(c), calls for the presiding officer in an adjudicatory proceeding to “afford an interested State, local governmental body (county, municipality, or other subdivision), and Federally-recognized Indian Tribe that has not been admitted as a party under § 2.309, a reasonable opportunity to participate in a hearing.” Pursuant to 10 C.F.R. § 2.315(c), Eddy County hereby requests permission to participate in these proceedings as an interested local governmental body.

Eddy County is a local government entity.<sup>1</sup> Eddy County's interest in the HI-STORE Consolidated Interim Storage Facility proceeding arises out of its geographic proximity to the proposed facility, anticipated support by governmental agencies, economic benefits, and employment of its citizens. As indicated by the attached Resolution R-18-73, Eddy County is authorized to participate in the HI-STORE proceeding under 10 C.F.R. § 2.315(c).

As required by 10 C.F.R. § 2.315(c), Eddy County designates Rick J. Rudometkin as its single representative for the hearing. Rick J. Rudometkin's contact information is as follows.

Rick J. Rudometkin,  
Eddy County,  
101 W. Greene Street  
575-887-9511  
Fax: 575-236-1061  
[rrudometkin@co.eddy.nm.us](mailto:rrudometkin@co.eddy.nm.us)  
County Manager for Eddy County

September 13, 2018

Respectfully submitted,  
*Rick Rudometkin*  
Rick J. Rudometkin

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<sup>1</sup> [Note: The Party should describe its status as a municipality or government body, its interest in the proceeding, and its proximity to the facility preferably including the number of constituents within close proximity. If status as a governmental entity may be in doubt, describe the Party's ability to exercise "executive or legislative functions." See *Cogema Mining, Inc.* (Irigaray and Christensen Ranch Facilities), 70 N.R.C. 168 (2009) (citing *Yankee Atomic Electric Co.* (Yankee Nuclear Power Station), 48 N.R.C. 185, 203 (1998) ("We do not... authorize automatic participation in our adjudications by each and every subpart of state and local government. FRPB is, by its own admission, an advisory body and lacks executive or legislative responsibilities. We conclude that advisory bodies... are so far removed from having the representative authority to speak and act for the public that they do not qualify...."))].]



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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Petition by Eddy County to Participate as an Interested LOCAL GOVERNMENT BODY, has been served through the EFiling system on the participants in the above-captioned proceeding this 13<sup>th</sup> day of September, 2018.

*Rick Rudometkin*  
Rick J. Rudometkin