

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
Before the Atomic Safety and Licensing Board**

|  |   |                    |
|--|---|--------------------|
| In the Matter of                                 | ) | Docket No. 72-1051 |
| Holtec International                             | ) |                    |
| (HI-STORE Consolidated Interim Storage Facility) | ) | January 11, 2019   |
|  | ) |                    |

\* \* \* \* \*

**MOTION OF DON'T WASTE MICHIGAN, CITIZENS' ENVIRONMENTAL COALITION, CITIZENS FOR ALTERNATIVES TO CHEMICAL CONTAMINATION, NUCLEAR ENERGY INFORMATION SERVICE, PUBLIC CITIZEN, INC., SAN LUIS OBISPO MOTHERS FOR PEACE AND NUCLEAR ISSUES STUDY GROUP TO ADOPT AND LITIGATE SIERRA CLUB CONTENTIONS**

Now come Petitioners Don't Waste Michigan, Citizens for Alternatives to Chemical Contamination, Public Citizen, Inc., San Luis Obispo Mothers for Peace, Nuclear Energy Information Service, Citizens' Environmental Coalition, and Nuclear Issues Study Group ("Joint Petitioners"), by and through counsel, and pursuant to 10 C.F.R. § 2.309(f)(3), move to adopt all contentions filed by the Sierra Club and admitted into this proceeding, and to re-allege and litigate them as their own.

Joint Petitioners and the Sierra Club share many of the same issues and concerns regarding the proposed Holtec CISF at issue in this proceeding. It would serve the interests of judicial economy and merits litigation of the issues raised in this proceeding for Joint Petitioners to adopt the Sierra Club's contentions.

Joint Petitioners agree that the Sierra Club shall act as the primary party with respect to its contentions, and they designate the Sierra Club's counsel, Wallace L. Taylor, as their

representative, delegating to him the authority to act for the Joint Petitioners as to those contentions.

Where two petitioners have independently met the requirements to participate in a licensing proceeding, the Atomic Safety and Licensing Board may provisionally allow them to adopt each other's issues early in the proceeding. *Consol. Edison Co.* (Indian Point, Units 1 and 2), CLI-01-19, 54 NRC 109, 132 (2001).

### **Certification of Consultation With Opposing Counsel**

As required by 10 C.F.R. § 2.323(b), counsel for Joint Petitioners solicited the agreement of opposing parties' counsel to this motion via communication on January 8, 2019. Counsel for Holtec International opposed the motion. The NRC Staff stated that it had no opposition to the motion. The Sierra Club consents to the granting of the motion. The other parties did not respond.

**WHEREFORE**, Joint Petitioners pray the Atomic Safety and Licensing Board grant them leave to adopt all of the contentions of the Sierra Club admitted for hearing in this proceeding and to designate Wallace L. Taylor as their representative with respect to those contentions.

/s/ Terry J. Lodge

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\* \* \* \* \*

**CERTIFICATE OF SERVICE**

Pursuant to 10 C.F.R. § 2.305, I hereby certify that, on this 11<sup>th</sup> day of January, 2019, copies of the “Motion of Don’t Waste Michigan, Citizens’ Environmental Coalition, Citizens for Alternatives to Chemical Contamination, Nuclear Energy Information Service, Public Citizen, Inc., San Luis Obispo Mothers for Peace and Nuclear Issues Study Group Motion to Adopt and Litigate All Sierra Club Contentions” was filed in the Electronic Information Exchange (the NRC’s E-Filing System) in the above captioned proceeding for service via automated distribution to all registered counsel and parties.

/s/ Terry J. Lodge  
Terry J. Lodge, Esq.  
Counsel for Joint Petitioners DWM *et al.*