

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

OHIO NUCLEAR-FREE NETWORK and BEYOND NUCLEAR,)	
)	Case No. 21-1162
Petitioners,)	
v.)	
UNITED STATES NUCLEAR REGULATORY COMMISSION and the UNITED STATES OF AMERICA,))))	
Respondents.)	

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**PETITIONERS' UNOPPOSED MOTION TO RESCHEDULE
DEADLINES RELATED TO RESPONDENTS' MOTION TO DISMISS**

Pursuant to D.C. Cir. Rule 27(h), Petitioners Ohio Nuclear-Free Network and Beyond Nuclear, through undersigned counsel, respectfully submit their unopposed motion requesting a twelve (12) day extension of time, from September 30, 2021 until October 12, 2021 to respond to the Respondents U.S. Nuclear Regulatory Commission's and United States' pending Motion to Dismiss.

Petitioners further, by consent, request an extension of seven (7) days, from October 19 to 26, 2021, for the filing of Respondents' reply in support of said

Motion to Dismiss.

In support of their motion, Petitioners state that their lead counsel has been preoccupied with other priority litigation responsibilities. Petitioners' co-counsel will be out of his office until October 4, 2021. This is Petitioners' first request for an extension of time. Counsel for Respondents state that they do not oppose this Motion. Petitioners do not oppose the extension of Respondents' time for reply.

Dated: September 27, 2021

Respectfully submitted,

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

CERTIFICATION

I hereby certify that on this 27th day of September, 2021, I served the foregoing Unopposed Motion upon the following via electronic mail and via deposit of the foregoing document in the Court's electronic case filing system, which according to its protocols would automatically notify all counsel of record.

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

CERTIFICATE OF COMPLIANCE

The foregoing Unopposed Motion 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 Unopposed Motion was prepared in 14-point, double spaced Times New Roman font using Wordperfect 4X. The Motion contains 159 words.

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

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CERTIFICATE AS TO PARTIES, RULING, AND RELATED CASES

Petitioners Ohio Nuclear-Free Network and Beyond Nuclear (“Petitioner”) hereby certify as follows:

1. Parties, Intervenors, and *Amici Curiae*

Petitioners are Ohio Nuclear-Free Network and Beyond Nuclear. The Respondents are the United States Nuclear Regulatory Commission (“NRC” or “Commission”) and the United States of America. Currently, there are no other parties to the case. It is possible that American Centrifuge Operating, LLC, as

owner of the below-mentioned licenses granted amendment by the NRC, or Centrus Energy Corp., as owner of American Centrifuge Operating, LLC, might seek to intervene.

2. Rulings Under Review

Petitioners seek the review of the orders entered by the U.S. Nuclear Regulatory Commission in a June 11, 2021 letter (“Approval Letter”) sent by Jacob I. Zimmerman, Chief of the Fuel Facility Licensing Branch, Division of Fuel Management, Office of Nuclear Material Safety and Safeguards to Kelly L. Fitch, Regulatory Manager of American Centrifuge Operating, LLC (“ACO”). By the Approval Letter, the NRC approved amendments to two NRC licenses, SNM-7003 and SNM-2011, respectively.

3. Related Cases.

There are no related cases.

/s/ Terry J. Lodge

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/s/ Wallace L. Taylor

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Co-Counsel for Petitioners

CERTIFICATION

I hereby certify that on this 26th day of August, 2021, I served the foregoing Certificate as to Parties upon the following via electronic mail and via deposit of the foregoing document in the Court's electronic case filing system, which according to its protocols would automatically notify all counsel of record:

Eric Vincent Michel, Attorney
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Eric.Michel2@nrc.gov

Andrew Averbach, Esq., Solicitor
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
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/s/ Terry J. Lodge

Terry J. Lodge
Co-Counsel for Petitioners

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RULE 26.1 DISCLOSURE STATEMENT

Pursuant to Fed. R. App. P. 26.1 and D.C. Cir. Rule 26.1, Petitioners Ohio Nuclear-Free Network and Beyond Nuclear provide the following corporate disclosure statement.

Petitioner Ohio Nuclear-Free Network is an unincorporated association of persons located in Ohio whose members have no ownership interests. None of its members have issued shares or debt securities to the public.

Beyond Nuclear is a non-profit corporation organized and existing under the

laws of the State of Maryland as a Section 501(c)(3) membership organization that aims to educate and activate the public about the connections between nuclear power and nuclear weapons and the need to abandon both to safeguard our future. Beyond Nuclear advocates for an energy future that is sustainable, benign and democratic. Petitioner Beyond Nuclear does not have any parent companies, nor outstanding shares or debt securities in the hands of the public, nor any parent, subsidiary, or affiliates that have issued shares or debt securities to the public. relevant to the litigation.

/s/ Terry J. Lodge

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Co-Counsel for Petitioners

CERTIFICATION

I hereby certify that on this 28th day of August, 2021, I served the foregoing Rule 26.1 Disclosure Statement upon the following via electronic mail and via deposit of the foregoing document in the Court's electronic case filing system, which according to its protocols would automatically notify all counsel of record:

Eric Vincent Michel, Attorney
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Andrew Averbach, Esq., Solicitor
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/s/ Terry J. Lodge
Terry J. Lodge
Co-Counsel for Petitioners