

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

BEYOND NUCLEAR, INC.,	)	
	)	
	)	
Petitioner,	)	Case No. 21-1056
	)	
	)	Consolidated with Nos.
	)	21-1048, 21-1055, and 21-1179
v.	)	
	)	
UNITED STATES NUCLEAR	)	
REGULATORY COMMISSION and the	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondents.	)	
	)	

**CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES**

Pursuant to D.C. Circuit Rules 15(c)(3) and 28(a)(1), counsel for Petitioner Beyond Nuclear, Inc. (“Beyond Nuclear”) certifies as follows:

**1. Parties, Intervenors, and Amici Curiae.**

**Parties.** The petitioner in case No. 21-1056 is Beyond Nuclear. On March 5, 2021, the Court consolidated case No. 21-1056 with case Nos. 21-1048 and 21-1055. Petitioners in case No. 21-1048 are 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, Sustainable Energy and Economic Development Coalition, and

Leona Morgan, individually (collectively, “Don’t Waste Michigan, et al.”).

Petitioner in case No. 21-1055 is the Sierra Club.

On August 26, 2021, the Court consolidated the previously consolidated case Nos. 21-1056, 21-1048, and 21-1055 with case No. 21-1179. Petitioners in case 21-1179 are Fasken Land and Minerals, Ltd. and Permian Basin Land and Royalty Owners (collectively, “Fasken”).

In each case, respondents are the United States Nuclear Regulatory Commission (“NRC”) and the United States of America.

**Intervenors and Amicus Curiae.** On October 8, 2021, the Court granted Interim Storage Partners, LLC’s motion for leave to intervene.

## **2. Rulings Under Review.**

Petitioner Beyond Nuclear seeks review of three NRC orders in *Interim Storage Partners LLC (WCS Consolidated Interim Storage Facility)* (NRC Docket No. 72-1050):

- Order issued on October 29, 2018, and
- Memorandum and Order CLI-20-14, issued on December 17, 2020 (“CLI-20-14”), and
- The NRC’s issuance of a license to build and operate the WCS Consolidated Interim Storage Facility, published at 86 Fed. Reg. 51,926 on September 17, 2021.

### 3. Related Cases.

On February 2, 2021, Don't Waste Michigan *et al.* filed a petition for review of CLI-20-13<sup>1</sup> and CLI-20-14 in case No. 21-1048. On February 9, 2021, Sierra Club filed a petition for review of CLI-20-15<sup>2</sup> in case No. 21-1055. By order dated March 5, 2021, this Court consolidated case Nos. 21-1048 and 21-1055 with Beyond Nuclear's case No. 21-1056. On August 20, 2021, Fasken filed a petition for review of the NRC's Order issued on October 29, 2018, CLI-20-14, and CLI-21-09<sup>3</sup> in case No. 21-1179. By order dated August 26, 2021, this Court consolidated case No. 21-1179 with the previously consolidated case Nos. 21-1049, 21-1055, and 21-1056.

Petitioner Beyond Nuclear has raised identical legal claims in the instant case and *Beyond Nuclear, Inc. v. U.S. Nuclear Regulatory Commission*, No. 20-1187 (consolidated with No. 20-1225).

---

<sup>1</sup> NRC Memorandum and Order CLI-20-13, issued on December 4, 2020.

<sup>2</sup> NRC Memorandum and Order CLI-20-15, issued on December 17, 2020.

<sup>3</sup> NRC Memorandum and Order CLI-21-09, issued on June 22, 2021.

Respectfully submitted,

/s/ Diane Curran

DIANE CURRAN

Harmon, Curran, Spielberg  
& Eisenberg, LLP

1726 M Street NW, Suite 600

Washington, D.C. 20036

Tel: (202) 328-3500

Fax: (202) 328-6918

Email: [dcurran@harmoncurran.com](mailto:dcurran@harmoncurran.com)

*Counsel for Beyond Nuclear*

/s/ Mindy Goldstein

MINDY GOLDSTEIN

Turner Environmental Law Clinic

Emory University School of Law

1301 Clifton Road

Atlanta, GA 30322

Tel: (404) 727-3432

Fax: (404) 727-7853

Email: [magolds@emory.edu](mailto:magolds@emory.edu)

*Counsel for Beyond Nuclear*

November 8, 2021