

**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.)	
)	

PETITIONER’S NONBINDING STATEMENT OF ISSUES

Petitioner Beyond Nuclear, Inc. states that it intends to raise the following issues in this case:

- Did the U.S. Nuclear Regulatory Commission (“NRC”) violate the Administrative Procedure Act (“APA”), 5 U.S.C. §§ 706(2)(A) and (C), and the Nuclear Waste Policy Act, 42 U.S.C. §§ 10222(a)(5)(A) and 10143 (“NWPA”), when it refused to dismiss the license application of Interim Storage Partners, LLC (“ISP”) to build and operate a storage facility for spent (*i.e.*, used) nuclear reactor fuel, where the application contained

provisions for the federal government to assume title and responsibility for the spent fuel in contravention of the NWPA; and

- Did the NRC violate the APA and NWPA when it approved ISP's license application, despite containing provisions that contravene the NWPA?

Respectfully submitted,

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