ORDER  
(Granting Party Status to the Joint Timbisha Shoshone Tribal Group)

On May 11, 2009, CAB-02 ruled that the Joint Timbisha Shoshone Tribal Group (JTS) would have been admitted as a party to this proceeding, except for its failure to demonstrate substantial and timely compliance with Licensing Support Network (LSN) requirements.\(^1\) Because JTS was a newly formed entity – comprised of the former petitioners Timbisha Shoshone Tribe (TIM) and Timbisha Shoshone Yucca Mountain Oversight Program (TSO) – the Board based this ruling on its finding that neither TIM nor TSO had demonstrated LSN compliance, as a result of deficiencies in their LSN procedures and a failure to certify their LSN collections on time. The Board noted, however, that JTS might be admitted as a party upon a showing of subsequent compliance.

On June 25, 2009, JTS filed a Certification of Subsequent LSN Compliance.\(^2\) In this Certification, JTS explained how it has corrected the purported deficiencies in its LSN

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\(^1\) U.S. Dep’t of Energy (High Level Waste Repository), LBP-09-06, __ NRC __, __ (slip op. at 93-99) (May 11, 2009).

\(^2\) Joint Timbisha Shoshone Tribal Group’s Certification of Subsequent LSN Compliance (June 25, 2009).
procedures, thereby achieving subsequent compliance with the LSN requirements. JTS has filed timely supplemental certifications for each subsequent month, and no party has responded to or objected to any of these certifications. Accordingly, this Board now grants JTS’s intervention petition and admits JTS as a party to this proceeding. Pursuant to 10 C.F.R. § 2.1012(b)(2), JTS’s admission as a party “is conditioned on accepting the status of the proceeding at the time of admission.”

It is so ORDERED.

FOR THE ATOMIC SAFETY AND LICENSING BOARD

/RA/

Paul S. Ryerson
ADMINISTRATIVE JUDGE

Rockville, Maryland
August 27, 2009

3 By delegated authority, in the absence of Thomas S. Moore, Chairman.
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of  )
U.S. DEPARTMENT OF ENERGY ) Docket No. 63-001-HLW
(High-Level Waste Repository)  )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER (Granting Party Status to the Joint Timbisha Shoshone Tribal Group), dated August 27, 2009, have been served upon the following persons by Electronic Information Exchange.

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ASLBP (continued)

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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
ORDER (Granting Party Status to the Joint Timbisha Shoshone Tribal Group)

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