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

In the Matter of	)	Docket No. 72-1050
Interim Storage Partners LLC	)	December 30, 2018
(Consolidated Interim Storage Facility)	)	
	)	

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OPPOSITION 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, SUSTAINABLE ENERGY AND ECONOMIC DEVELOPMENT COALITION AND LEONA MORGAN, INDIVIDUALLY TO ISP/WCS MOTION TO STRIKE

Pursuant to 10 C.F.R. § 2.323(c), Joint 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, Sustainable Energy and Economic Development Coalition and Leona Morgan, Individually ("Joint Petitioners"), by and through counsel, respond in opposition to Interim Storage Partners LLC's December 27, 2018 "Interim Storage Partners LLC's Motion to Strike Portions of the Reply Filed by Don't Waste Michigan *et al.*"

I. Background

Before an intervenor's contention may be denied admission into this licensing case for trial, its proponent must be given a chance to be heard in response. This is because proponents may not have anticipated the possible arguments their opponents might raise as grounds for

dismissing them. Contentions and challenges to contentions in NRC licensing proceedings are analogous to complaints and motions to dismiss in federal court. *Houston Lighting & Power Co.* (Allens Creek Nuclear Generating Station, Unit 1), ALAB-565, 10 NRC 521, 525 (1979).

The NRC's contention admissibility rules "do not require an intervenor to provide all supporting facts for a contention or prove its case on the merits in its original submission." *Louisiana Energy Servs., L.P.* (National Enrichment Facility), CLI-04-25, 60 NRC 223, 225 (2004), *recons. denied, LES*, CLI-04-35, 60 NRC 619 (2004). Replies may appropriately "respond to the legal, logical, and factual arguments presented in the answers. . . ." *PPL Susquehanna, LLC* (Susquehanna Steam Electric Station, Units 1 & 2), LBP-07-4, 65 NRC 281, 301-302 (2007). A reply memorandum may be used to provide "legitimate amplification" to a contention. *Id.*

A party may not use the device of a motion to strike to categorically prohibit all new arguments. Although "principles of fairness mandate that a petitioner restrict its reply brief to addressing issues raised by the Applicant's or the NRC Staff's Answers," such a limitation:

> falls well short of prohibiting a petitioner from raising all new arguments. *As long as new statements are within the scope of the initial contention and directly flow from and are focused on the issues and arguments raised in the Answers, fairness is achieved through the consideration of these newly expressed arguments.*

(Emphasis added). *Entergy Nuclear Operations, Inc.* (Indian Point Nuclear Generating Units 2 and 3), Docket Nos. 50-0247-LR and 50-286-LR, ASLBP No. 07-858-03-LR-BD01 at 41 (p. 43 of .pdf) (unpublished) (July 6, 2011).

In *FirstEnergy Nuclear Operating Company* (Davis-Besse Nuclear Power Station, Unit 1), ASLBP No. 11-907-01-LR-BD01 (October 11, 2012) (unpublished), the Atomic Safety and Licensing Board, ruling on a motion to strike, said:

> While FENOC is correct that Intervenors cite new legal authority and raise certain new arguments in their reply, we believe that these citations and arguments are fairly responsive to arguments proffered by FENOC in its answer. *While a party may not raise new arguments in a reply that are outside the scope of the initial contention, it may "legitimately amplify" arguments presented in its initial contention in order to fairly respond to arguments raised in the answers.* (Citing *Nuclear Management Co., LLC* (Palisades Nuclear Plant), LBP-06-10, 63 NRC 314, 329 (2006)).

(Emphasis added). *Id.* at 3.

Joint Petitioners' due process rights could be curtailed if they are not accorded some flexibility in shaping their responsive arguments. The D.C. Circuit interprets §189(a) of the Atomic Energy Act [42 U.S.C. §2239(a)] substantively, holding that "once a hearing on a licensing proceeding is begun, it must encompass all material factors bearing on the licensing decision raised by the requester." *Union of Concerned Scientists v. United States Nuclear Regulatory Com'n*, 735 F.2d 1437, 1443 (D.C. Cir. 1984). Because the stringency of the NRC's Part 2 rules "may approach the outer bounds of what is permissible under the [Administrative Procedure Act]," *Citizens Awareness Network, Inc. v. NRC*, 391 F.3d 338, 355 (1st Cir. 2004), Joint Petitioners' substantive and procedural due process rights must be considered in the determination of ISP/WCS's Motion to Strike.

II. Joint Petitioners' Replies To Itemized Requests To Strike

A. Response to Proposed Strikes Of Contentions 4 and 12 'Regulatory Gap' Arguments

ISP/WCS objects that Joint Petitioners improperly alluded in their "Combined Reply 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, Sustainable Energy and Economic Development Coalition and Leona Morgan to ISP/WCS and NRC Staff Answers" ("Combined Reply") that

ISP/WCS objects to references to "a regulatory gap contention" in two different places in their Combined Reply, suggesting that Joint Petitioners' use of the term comprises a "new legal theory," while it is merely an illustrative term to describe the regulatory vacuum delineated by Petitioners in support of Contentions 4 and 12.

In their original Petition to Intervene,[1] Joint Petitioners detailed a major unconsidered aspect of the waste stream of low-level radioactive waste ("LLRW") likely to be generated by operations of the ISP/WCS Consolidated Interim Storage Facility ("CISF"): mandatory repackaging of the waste, where thousands of loads of spent nuclear fuel ("SNF") will have to be transferred into far more numerous, smaller canisters. *Id.* at pp. 66-71. Joint Petitioners established that "there are at present zero approved transport canister types to haul the SNF from reactor sites to anticipated geological repository disposal" (*Id.* at 66); that for "efficiency and safety" reasons, the Department of Energy is moving to a uniform storage canister type, but that "fuel bundles from different reactor types vary greatly in thermal content and as to whether or not they are now considered 'high burnup fuel'" such that "[p]resently there is no agreement on the size nor other features of the TAD canisters to achieve the DOE's efficient disposal requirements" (*Id.*); that the Yucca Mountain Final Environmental Impact Statement was supplemented in 2006 to describe a single canister concept that could be stored conveniently (*Id.* at 67); that the DOE's present approach to repository storage is to package most commercial spent nuclear fuel at reactor sites in TAD canisters, with commercial spent nuclear fuel arriving

[1] "Petition 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, Sustainable Energy and Economic Development (SEED) Coalition and Leona Morgan, Individually, to Intervene and Request for Adjudicatory Hearing" ("Petition to Intervene").

at the repository in packages other than TAD canisters being transferred into the uniform canister type (*Id*. at 68); that ISP/WCS neither mentions nor analyzes any of this unfinished, official new policy in the Environmental Report ("ER"), but instead "plans merely to take on SNF delivered in a transport cask from the currently-available designs. . . ." (*Id.* at 68).

Referring to the void of firm regulations to clarify this official change of policy direction, Joint Petitioners called the "fact of uncertainty of regulation, a 'regulatory gap contention' . . . because 'a reasonably prudent person, accepting the facts as alleged, would be concerned.' *Public Service Co.* at 1655 fn. 5." Joint Petitioners referred to the void of regulations for uniform canister storage policy "a contention of omission (*i.e.*, lack of regulatory certainty) that is worthy of admission until there is a precise regulatory determination of the TAD canisters' design, where repackaging is to occur, and the means of that repackaging." Combined Reply at 30. Joint Petitioners merely applied a term of NRC parlance–"regulatory gap"–to describe this circumstance where the method of waste transport to the ISP/WCS storage facility sharply contradicts ISP's ER description of canister types that would be used for transport and delivery. In further reply in support of Contention 4, Joint Petitioners observed that the contention describes

> a lack of a firm understanding as to whether fuel bundles will be diffused into tens of thousands of storable canisters at individual reactor sites, or at the WCS CISF. The answer to the conundrum has implications for the facility design of the CISF, as whether there will be a dry transfer system and a more nuanced Emergency Response Plan than currently contemplated. It has implications for the LLRW waste stream. There will be thousands more deliveries to WCS, if the repackaging is done offsite, and in any event, tens of thousands more deliveries to an ultimate repository."

Petitioners' Combined Reply at 27.

Similarly, Joint Petitioners again referred to this "regulatory gap" as they replied in

support of Contention 12:

> It is pretty certain that there will be a dramatic need to repackage the SNF into disposal canisters. The repackaging effort cannot be done at a dozen closed, cleared reactor sites, so arrangements either will be made offsite to accomplish the move of SNF from current storage canisters and casks at those sites to the repository canisters, or to do so at the CISF. If the CISF is needed for long-term or indefinite use, there will still be the need to swap out the canisters (a regulated, licensed activity).
>
> The reasonable specificity standard of contention pleading requires that an intervenor include a statement of the reason for his contention that either alleges that an applicant is not complying with a specified regulation, or alleges the existence and detail of a substantial safety issue on which the regulations are silent (a "regulatory gap"). *Public Service Co. of New Hampshire* (Seabrook Station, Units 1 & 2), LBP-82-106, 16 NRC 1649, 1655-56 (1982); *Shaw Areva MOX Services* (Mixed Oxide Fuel Fabrication Facility 66 NRC 169, 207, LBP-07-14 (2007) ("The *current existence* of the uncertainty about the safety analysis of the system for liquid waste handling, referred to above, provides a sufficient basis to support the proffered contentions, given the other support the Petitioners have mustered.").

Combined Reply at 52.

Joint Petitioners demonstrated in their Petition to Intervene that there are no settled DOE regulations on the dimensions, safety and engineering standards for the storage canisters, but that at some point all of the currently-stored SNF must be transferred into them, despite the lack of a known time line and the further problem of no established procedures for the safe reopening of sealed canisters containing SNF for the purpose of transferring it into new canisters. Also, a dozen nuclear reactor sites are already closed and cleared, without any facilities available to transfer SNF from existing storage to prospective universal transport and disposal canisters. Joint Petitioners have identified several aspects of transport and delivery of SNF where there are no detailed policy decisions made and no regulations promulgated; the Atomic Safety and Licensing Board must find that absent NRC safety regulations governing the use of universal transport canisters, the environmental impacts of radiological accidents are not acceptable. Joint Petitioners might have done a better job of framing Contention 4 in their reply argument than

they did in the Petition to Intervene, but if so, it is merely legitimate amplification and may not be struck from the record.

Contention 4 is a "hybrid" contention, raising issues about unconsidered environmental and safety effects of requiring the universal deployment of uniform transport canisters to transport or store SNF at the ISP site. *Crow Butte Resources* (Marsland Expansion Area) ___ NRC ___, LBP-18-03 at 3 (July 20, 2018) (ML18075A235) ("This contention is a hybrid safety and environmental contention, raising issues regarding the adequacy of the application's "hydrogeologic characterization of the MEA site."). NEPA embraces safety considerations; under the "intensity" regulation of NEPA, 40 C.F.R. § 1508.27(b)(2) ("The degree to which the proposed action affects public health or *safety* . . . (should be considered in evaluating intensity")).

The NRC's NEPA regulations at 10 C.F.R. § 51.45 delineate the requisite contents of environmental reports. The Commission is empowered by 10 C.F.R. § 72.40(b) to issue licenses with specific conditions for ISFSIs such as the ISP/WCS CISF, and those conditions may be based on 10 C.F.R. Part 51, Subpart A (NRC's NEPA regulations), "as appropriate, and after weighing the environmental, economic, technical and other benefits against environmental costs and considering available alternatives." Within this regulatory framework, "[t]he Commission recognizes a continuing obligation to conduct its domestic licensing and related regulatory functions in a manner which is both receptive to environmental concerns and consistent with the Commission's responsibility as an independent regulatory agency for protecting the radiological health and *safety* of the public." 10 C.F.R. § 51.10 (b) (emphasis added).

In the ER, ISP/WCS assumes that compliance with existing NRC safety regulations is

sufficient to ensure that the environmental impacts of accidents involving canisters are acceptable. Joint Petitioners have responded that the existing NRC safety regulations for transport canisters may be completely out the window–and presumptions of safety with them-- as DOE shifts to a single canister type for which there are, as yet, no firm regulations (*viz.*, a "regulatory gap"). Joint Petitioners have refuted ISP's assumption, which is materially different from the information upon which the ER is based. Safety considerations fall within the purview of NEPA, insofar as a lack of appropriate regulations cannot suffice to mitigate environmental impacts of accidents.

Joint Petitioners' use of "regulatory gap contention" conceptually captures the incomplete nature of regulation over storage canisters. The ASLB would have no basis to strike a statement made by Joint Petitioners that said, "There is clearly a gap between the current state of transport and disposal canister requirements, and what those requirements might one day be, in light of DOE's announced policy of going to a universal disposal canister design. The gaps in regulation, where necessarily firm regulatory policies are lacking, comprise a legitimate contention challenge." Their use of "regulatory gap" as shorthand does no more than express the concept in recognized NRC legal parlance.

At bottom, ISP/WCS's argument merely "concerns the interpretation of debatable evidence and is therefore inappropriate in the context of a contention admissibility ruling, where we do not decide the merits or draw factual inferences in favor of the party opposing the admission of a contention." *Detroit Edison Company* (Fermi Nuclear Power Plant, Unit 3), ASLBP No. 09-880 05-BD01, LBP 10-09 at 23 (June 15, 2010) (slip op.).

Joint Petitioners' use of "regulatory gap" on reply, to express a concept they clearly

identified in their Petition to Intervene, is legitimate amplification. There is no justification to strike invocation of the phrase.

B. Response to Proposed Strike of New Arguments in Support of Contention 9 on the Sufficiency of the Benefit-Costs Analysis and Reliance on the Alvarez Declaration

In Contention 9, Joint Petitioners challenge what they see as ISP/WCS's one-sided depiction of the supposed economic advantages of having the CISF in ER Table 7.4-1, p. 7-30, which is the basis for a claimed savings of $1.6 billion over continuation of storage at reactor sites until a permanent repository is found and licensed. In their Petition, Joint Petitioners asserted that Table 7.4-1 "does not explain what the Federal Government would have to pay, anyway, for continued storage of SNF at reactor sites under existing legislation and DOE contracts with utilities, plus contemporaneous large payments for the opening and operation of the WCS/ISP CISF, including all related activities, such as transportation." ISP/WCS asserted by Answer essentially that Joint Petitioners omitted to consider the complete cost-benefit picture by ignoring Table 7.4-2. Petitioners stated in reply that their reference to unidentified or omitted Federal Government liabilities for continued storage at reactor sites plus payments to open and operate the ISP/WCS CISF included (1) WCS's apparent assumption that "all Federal reimbursements to utilities will cease in Year 1 of the 20-year transportation phase of the project," which is untrue; (2) that Table 7.4-1 evidently assumes that 100% of reactor site brownfields will be converted to "greenfield" usage, without accounting for remediation or for storing SNF for 60 years at reactor sites before shipment, and without accounting for canisters stranded at reactor sites because of damage, leakage or contamination problems with high-burnup fuel; (3) that Table 7.4-2 assumes that there will be zero site accidents and consequent costs at the CISF and no need for a DTS system at the CISF throughout the first century of operations

because of a questionable belief that CISF operations will proceed flawlessly under a "start clean, stay clean" regime; (4) that the ISP/WCS's gross underestimation of the volume of low-level radioactive waste by excluding 100,000 cubic yards of irradiated concrete and hundreds or thousands of discarded SNF canisters as LLRW, appear not to be reflected anywhere in the costs; and (5) Petitioners restated the testimony of their expert, Robert Alvarez, who discussed unquantified spent fuel canister transfer costs in support of Joint Petitioners' Contention 4 in their November 13, 2018 Petition (and Alvarez' Contention 4 testimony had been incorporated by reference into Contention 9 in the first Petition, see p. 112).

In their original Petition to Intervene, Joint Petitioners cited Council on Environmental Quality NEPA regulations at 40 C.F.R. § 1502.23 that require cost-benefit analyses to "discuss the relationship between that analysis and any analyses of unquantified environmental impacts, values, and amenities." In the original Petition, Joint Petitioners detailed out some of ISP/WCS' failures to provide that discussion. In their Combined Reply, they provided further details.

Petitioners legitimately amplified the allegations of their original contention in order to respond to allegations that they had ignored Table 7.4-2. In doing so, they did not alter the basis of the original contention. The NRC recognizes the practice of introducing some evidence (even an expert declaration) on reply when doing so does not alter the basis for the original contention. In *Detroit Edison Company* (Fermi Nuclear Power Plant, Unit 3), ASLBP No. 09-880 05-BD01, LBP 10-09 (June 15, 2010) (slip op.), the intervenors sought to file a late-filed quality assurance ("QA") contention based on an NRC Notice of Violation that cited QA deficiencies. The NRC Staff answered that the intervenors had exaggerated the seriousness of the NRC enforcement action. With their reply memo, the intervenors provided an expert affidavit which cited and

analyzed the significance of certain NRC staff emails pertaining to the QA deficiencies in the NOV. The ASLB found that the expert affidavit and intervenors' reliance on the emails comprised legitimate responses because they did not alter the basis for the original contention:

> By citing this and other NRC Staff e-mails, Intervenors have not attempted to amend or provide a different basis for Contention 15. Instead, they have responded to NRC Staff's argument that they significantly overstated the extent of DTE's QA violations, and they have provided additional factual support for Contention 15's assertion that DTE 'appears to be serially in violation of NRC regulations requiring the implementation of a Quality Assurance program . . . .' Although Intervenors did not cite the June 2009 e-mails in Contention 15, *our contention admissibility rules do not require an intervenor to provide all supporting facts for a contention or prove its case on the merits in its original submission. When the NRC Staff's Answer accused Intervenors of overstating the extent of the violations identified in the NOV [Notice of Violation], it was appropriate for Intervenors to respond by citing statements of NRC Staff that appear consistent with Intervenors' position.*
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> *At bottom, NRC Staff's argument concerns the interpretation of debatable evidence and is therefore inappropriate in the context of a contention admissibility ruling, where we do not decide the merits or draw factual inferences in favor of the party opposing the admission of a contention.* We therefore are not persuaded by NRC Staff's argument that we should ignore its June 2009 e-mails. Such arguments belong at the evidentiary stage of this proceeding. We therefore conclude that Contentions 15A and 15B satisfy 10 C.F.R. § 2.309(f)(1)(v).

Id. at 23, 25 (Emphasis added).

Joint Petitioners replied with information–including the full expert report–they had relied on as the basis for another, related contention in their original Petition to Intervene. Joint Petitioners' "new statements are within the scope of the initial contention and directly flow from and are focused on the issues and arguments raised in the Answer. . . ." *Entergy Nuclear Operations, Inc.* (Indian Point Nuclear Generating Units 2 and 3), Docket Nos. 50-0247-LR and 50-286-LR, ASLBP No. 07-858-03-LR-BD01 at 41 (p. 43 of .pdf) (unpublished) (July 6, 2011). Petitioners "respond[ed] to the legal, logical, and factual arguments presented in the answers. . .

." *PPL Susquehanna, LLC* (Susquehanna Steam Electric Station, Units 1 & 2), LBP-07-4, 65 NRC 281, 301-302 (2007). They provided "legitimate amplification" to Contention No. 9. *Id;* *FirstEnergy Nuclear Operating Company* (Davis-Besse Nuclear Power Station, Unit 1), ASLBP No. 11-907-01-LR-BD01 (October 11, 2012) (unpublished).

Petitioners' reply statements should be allowed to stand.

C. Response to Proposed Strike of Areva Reprocessing Bias

ISP/WCS seeks to delete the following paragraph from Joint Petitioners' Combined Reply, ostensibly because it articulates a form of relief sought by the Petitioners:

> During the GNEP era, Areva, the French national nuclear power corporation, actively promoted reprocessing in the U.S. Areva is now Orano, and is the lead partner in development of the Waste Control Specialists' proposed CISF. This, alone, supplies strong justification for a "no reprocessing" provision to be included in a license for the CISF, if the Commission, decides to grant a license.

Combined Reply at 54. But the gravamen of the paragraph is not Petitioners' urging of a "no reprocessing" provision as part of the ISP/WCS CISF license; it is their act of associating Areva, the corporate predecessor of Orano (the majority partner of ISP) directly with promotion of reprocessing as a key component of the former Global Nuclear Energy Partnership. ISP/WCS's Answer was not so much an argument against inadmissibility of Contention 13 as it was an ersatz motion for summary disposition that haggled over the facts; Joint Petitioners retorted that Orano/Areva's historic advocacy of reprocessing should prompt a license condition that expressly forbids reprocessing.

In their Petition to Intervene, Joint Petitioners provided a summary history of GNEP:

> Further, in 2008 the U.S. Department of Energy published a "Draft Global Nuclear Energy Partnership Programmatic Environmental Impact Statement" ("GNEP PEIS;" DOE/EIS-0396), in which it expressed a preference for reprocessing of spent nuclear fuel under U.S. auspices as a supposed nonproliferation policy. GNEP proposed a framework

> for nuclear fuel services to provide the means for the U.S. to develop nuclear enrichment or reprocessing facilities to serve other countries' nuclear programs. GNEP PEIS p. I-3. The proposed Holtec site, then owned by Eddy-Lea Energy Alliance, was actively considered by GNEP for use as a CISF and possibly as a reprocessing complex.

Petition to Intervene at 136. Were the cumulative effects analysis sought by Joint Petitioners granted following adjudication, a license condition prohibiting reprocessing might be part of the relief granted. Joint Petitioners merely offered their opinion of what relief should be granted to back up a cumulative effects analysis encompassing nuclear reprocessing.

The "contention admissibility rules do not require an intervenor to provide all supporting facts for a contention or prove its case on the merits in its original submission." *Detroit Edison Company* (Fermi Nuclear Power Plant, Unit 3), ASLBP No. 09-880 05-BD01, LBP 10-09, p. 23 (June 15, 2010) (slip op.). Joint Petitioners' opinion as to detailed relief that should be ordered is "legitimate amplification" and should be allowed to stand.

III. Conclusion

As Joint Petitioners noted at the outset of this memorandum, the NRC's contention admissibility rules "do not require an intervenor to provide all supporting facts for a contention or prove its case on the merits in its original submission." *Louisiana Energy Servs., L.P.*, 60 NRC at 225. Licensing boards should be reluctant to deny intervention because of any perceived lack of skill of pleading by intervenors where they have identified interests which may be affected by a proceeding. *Houston Lighting and Power Co.*, 9 NRC at 650. "It is neither congressional nor Commission policy to exclude parties because the niceties of pleading were imperfectly observed. Sounder practice is to decide issues on their merits, not to avoid them on technicalities." *Id.*, 9 NRC at 649; *Consumers Power Co.* (Palisades Nuclear Plant), LBP-79-20, 10 NRC 108, 116-17 (1979); *Vermont Yankee Nuclear Power Corp*. (Vermont Yankee Nuclear

Power Station), LBP-87-17, 25 NRC 838, 860 (1987), *aff'd in part on other grounds*, ALAB-869, 26 NRC 13 (1987), *reconsid. denied on other grounds*, ALAB-876, 26 NRC 277 (1987).

ISP/WCS's Motion to Strike must not be allowed to block legitimate reply arguments made by Joint Petitioners and should be denied.

Wherefore, Joint Petitioners pray the Atomic Safety and Licensing Board deny ISP/WCS's Motion to Strike.

/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 30th day of December, 2018, the "Opposition of Don't Waste Michigan, Citizens Environmental Coalition, Citizens for Alternatives to Chemical Contamination, Nuclear Energy Information Service, San Luis Obispo Mothers for Peace, Sustainable Energy and Economic Development Coalition, and Leona Morgan, Individually to ISP/WCS Motion to Strike" 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.
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