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Attorneys for Petitioners

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

MARGENE BULLCREEK, LISA)
BULLCREEK, REX ALLEN, MARY)
ALLEN, DANIEL MOON, DELFORD)
MOON, LENA KNIGHT, ABBY)
BULLCREEK, and LINDA WILLIAMS,)
individual members of the Skull Valley)
Band of Goshute Indians and members of)
the Band's General Council, and OHNGO)
GAUDADEH DEVIA, an unincorporated)
association,)
Petitioners,)
v.)
UNITED STATES NUCLEAR)
REGULATORY COMMISSION, and the)
UNITED STATES OF AMERICA)
Respondent.)

PETITION FOR REVIEW

No. 03-1018

COME NOW, Margene Bullcreek, Lisa Bullcreek, Rex Allen, Mary Allen, Daniel Moon, Delford Moon, Lena Knight, Abby Bullcreek, and Linda Williams, individual members of the Skull Valley Band of Goshute Indians and members of the Band's General Council, and Ohngo Gaudadeh Devia ("OGD"), through their attorneys, EchoHawk Law Offices, and pursuant to 28 U.S.C. § 2342, 42 U.S.C. § 2239, 5 U.S.C.

§§ 703, 704, 706, and Fed. R. App. P. 15, hereby petition this Court for review of the Nuclear Regulatory Commission's ("NRC") Memorandum and Order, CLI-02-29, entered on December 18, 2002, to the extent the Memorandum and Order denied the Petition to Institute Rulemaking filed before the NRC on February 11, 2002.¹ Venue is proper in this Court pursuant to 28 U.S.C. § 2343.

The NRC's December 18, 2002 Memorandum and Order, CLI-02-29, denied a petition to institute rulemaking pursuant to 10 C.F.R. § 2.802(a) to amend regulations governing independent spent fuel storage installations ("ISFSIs"), 10 C.F.R. Part 72, to make clear that licensing is allowed only for federally owned and operated away-from-reactor spent nuclear fuel ("SNF") storage facilities and not for an away-from reactor storage facility that is privately owned. The requested amendment is necessary to bring Part 72 into conformity with the Nuclear Regulatory Policy Act of 1982, as amended, 42 U.S.C. §§ 10101 *et seq.*

DATED: January 30, 2003.

ECHOHAWK LAW OFFICES

By 
Paul C. EchoHawk, of the firm
Attorneys for Petitioners

¹ The Petitioners do not petition for review of the Order to the extent it resolves Utah's Suggestion of Lack of Jurisdiction filed February 11, 2002 in the licensing proceeding known as In the Matter of Private Fuel Storage, LLC (Independent Spent Fuel Storage Installation), Docket No. 72-22-ISFSI, ASLBP No. 97-732-02-ISFSI.

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of January 2003, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

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