

EGAN & ASSOCIATES, PLLC
Counselors at Law

7918 Jones Branch Drive • Suite 600
McLean, Virginia 22102
Tel: (703) 918-4942
Fax: (703) 918-4943
jegan@nuclearlawyer.com

www.nuclearlawyer.com

1777 N.E. Loop 410 • Suite 600
San Antonio, Texas 78217
Tel: (210) 820-2667
Fax: (210) 820-2668
cfitzpatrick@nuclearlawyer.com

February 19, 2003

VIA FACSIMILE

John F. Cordes, Jr., Solicitor
E. Leo Slaggie, Deputy Solicitor
Steven F. Crockett, Senior Attorney
Office of the General Counsel
Mail Stop: 015-B18
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Re: *Nevada v. U.S. Nuclear Regulatory Commission*, Case No. 02-1116: Nevada
Input to Deferred Joint Appendix

Dear Counsel:

As you know, at the time we filed our Opening Brief in the above matter, we provided a Supplemental Appendix of items we relied on in our Opening Brief which were not in the Administrative Record certified by NRC. Pursuant to F.R.A.P. 30(b) and (c), we enclose with this letter a list of the references from NRC's Certified Administrative Record that were cited in our Brief and that we accordingly designate for inclusion in the Deferred Joint Appendix.

In order for the context of each record citation to be understandable, we intend to include in the Deferred Joint Appendix not only the specific page cited in our Brief and listed on the attached, but also the pages immediately before and after that page as necessary to put the cited reference in context. In addition, for the convenience and comprehension of the Court, the front page of the document should likewise be included.

As we explained in the glossary of our Opening Brief, because the documents enumerated in the first 10 or 11 pages of your Certified Record were not numbered, we chose to identify them in our Brief by reference to the page number at which they appeared and the document number of the specific item as it appeared on that page (for example, since each page

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of your Certified Record contained four documents, our citation AR-4-3 refers to the third document on page 4 of your Certified Record).

We reserve the right to designate additional record materials for inclusion in the Deferred Appendix as necessary to reflect matters discussed in our reply brief.

If you have any questions, please feel free to call me at 210-820-2667.

Sincerely,



Charles J. Fitzpatrick
Attorneys for Plaintiffs

CJF:sm

cc: John A. Bryson, Esq. (via fax)
Ronald M. Spritzer, Esq. (via fax)
Michael A. Bauser, Esq. (via fax)
Mr. Robert R. Loux (via fax)
Joseph R. Egan, Esq. (via fax)
Vincent J. Colatriano, Esq. (via fax)
Antonio Rossmann, Esq. (via fax)

Egan & Associates

1777 N.E. Loop 410, Suite 600, San Antonio, Texas 78217
Tel: 210/820-2667 • Fax: 210/820-2668

Charles J. Fitzpatrick
cfitzpatrick@nuclearlawyer.com

February 19, 2003

To: John F. Cordes, Jr. E. Leo Slaggie Steven F. Crockett Firm Name: NRC City & State: Washington, D.C. Telephone: 301-415-2871 Fax No.: 301-415-3200	To: Ronald M. Spritzer John A. Bryson Firm Name: U.S. Department of Justice City & State: Washington, D.C. Telephone: 202-514-4426 Fax Number: 202-514-8865
To: Michael A. Bauser Firm Name: Nuclear Energy Institute, Inc. City & State: Washington, D.C. Telephone: 202-739-8144 Fax Number: 202-785-4019	To: Joe Egan Firm Name: Egan & Associates City & State: McLean, VA Telephone: 703-918-4942 Fax No.: 703-918-4943
To: Bob Loux Firm Name: Nevada Agency for Nuclear Projects City & State: Carson City, NV Telephone: 775-687-3744 Fax No.: 775-687-5277	To: Vince Colatrlano Firm Name: Cooper & Kirk City & State: Washington, D.C. Telephone: 202-220-9656 Fax No.: 202-220-9601
To: Tony Rossmann Firm Name: Law Offices of Antonio Rossmann City & State: San Francisco, CA Telephone: 415-861-1401 Fax No.: 415-861-1822	

From: Charles J. Fitzpatrick

Total number of pages (including this page): 4

Message:

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