

documents that Petitioners believe the NRC did or should have considered during its deliberations in the underlying agency action. The NRC agreed to inclusion of several of those documents, but believes that the remaining documents are not properly included in the record.

Petitioners and Respondents subsequently agreed to a procedure whereby the Court could defer ruling on whether the documents at issue should be included in the administrative record. In particular, Petitioners and Respondents agreed that Petitioners should be allowed to prepare and file with the Court a supplemental appendix containing such of those documents that are not included in the NRC's certified record as are relied upon in certain parties' briefs. Pursuant to this agreement, Petitioners prepared a one-volume Supplemental Appendix containing relevant excerpts from the documents at issue. By order dated May 30, 2003, the Court granted Petitioners' unopposed motion for leave to file the Supplemental Appendix.

However, after preparing and filing the Supplemental Appendix, Petitioners discovered, in the course of preparing their final briefs, that they had inadvertently omitted from the Supplemental Appendix certain pages from documents otherwise included in the Supplemental Appendix that were cited in Petitioners' briefs. In particular, Petitioners discovered that they had inadvertently omitted from the Supplemental Appendix (1) two sections of a 2001 Environmental Protection Agency cost analysis report upon which Petitioners had relied in their Opening Brief; and (2) one page from a 1996 Department of Energy draft revision to a waste management program plan to which Petitioners had cited in their Opening Brief. To facilitate the Court's review of the actual records relied upon

in the parties' briefs, Petitioners have therefore prepared a "Volume II" of the Supplemental Appendix that contains these document excerpts.

For the foregoing reasons, Petitioners respectfully request that the Court grant leave to file the accompanying Volume II of the Supplemental Appendix.

Respectfully submitted,

Brian Sandoval, Attorney General
Marta A. Adams,* Sr. Deputy Attorney General
STATE OF NEVADA
100 North Carson Street
Carson City, NV 89701
(775) 684-1237 TEL
(775) 684-1108 FAX

Elizabeth A. Vibert, Deputy District Attorney
CLARK COUNTY, NEVADA
500 South Grand Central Parkway
Las Vegas, NV 89106
(702) 455-4761 TEL
(702) 382-5178 FAX

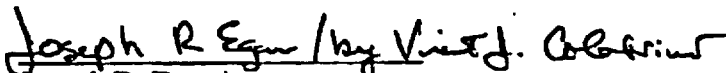
Bradford R. Jerbic, City Attorney
William P. Henry, Senior Litigation Counsel
CITY OF LAS VEGAS, NEVADA
400 Stewart Avenue
Las Vegas, NV 89101
(702) 229-6590 TEL
(702) 386-1749 FAX

Joseph R. Egan,*
Special Deputy Attorney General
Charles J. Fitzpatrick*
Martin G. Malsch*
Howard K. Shapar*
EGAN & ASSOCIATES, P.L.L.C.
7918 Jones Branch Drive, Suite 600
McLean, VA 22102
(703) 918-4942 TEL
(703) 918-4943 FAX

Charles J. Cooper*
Robert J. Cynkar*
Vincent J. Colatristano*
COOPER & KIRK, PLLC
1500 K Street, N.W., Suite 200
Washington, D.C. 20001
(202) 220-9600 TEL
(202) 220-9601 FAX

William H. Briggs, Jr.*
ROSS, DIXON & BELL, L.L.P.
2001 K Street, N.W.
Washington, D.C. 20006-1040
(202) 662-2063 TEL
(202) 662-2190 FAX

Antonio Rossmann
Special Deputy Attorney General
Roger B. Moore
Special Deputy Attorney General
LAW OFFICE OF ANTONIO ROSSMANN
380 Hayes Street
San Francisco, CA 94102
(415) 861-1401 TEL
(415) 861-1822 FAX


Joseph R. Egan*
Counsel of Record

Attorneys for Petitioner the State of Nevada

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* Member, D.C. Circuit Bar

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing document were served this 6th day of June 2003 by first class mail, postage prepaid on:

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

John Bryson
Ronald M. Spritzer
Attorneys, Appellate Section
Environment & Natural Resources Division
U.S. Department of Justice
P.O. Box 23795
Washington, D.C. 20530

Michael A. Bauser
Nuclear Energy Institute, Inc.
1776 I Street, NW, Suite 400
Washington, D.C. 20006


Vincent J. Colatriano