

IN THE UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

STATE OF OKLAHOMA,)	
)	
Petitioner,)	
)	
v.)	No. 04-9503
)	No. 04-9523
U.S. NUCLEAR REGULATORY)	(consolidated)
COMMISSION and the UNITED)	
STATES OF AMERICA,)	
)	
Respondents.)	
)	

CERTIFIED INDEX OF THE RECORD

The United States Nuclear Regulatory Commission (NRC) hereby certifies that the material listed and described below constitutes the administrative record underlying the Commission actions specified in the petition for review in the above-captioned case:

(1) The letter requesting a license amendment submitted to the NRC by Sequoyah Fuels corporation on September 30, 2002;

(2) The Federal Register notice published on November 14, 2002, by the NRC regarding receipt of the license amendment application and the opportunity for a hearing (67 Fed. Reg. 69,048);

(3) The adjudicatory docket: *In the Matter of Sequoyah Fuels*

Corporation (Gore, Oklahoma Site), Docket No. 40-8027-MLA-5.

Respectfully Submitted,



A handwritten signature in black ink, reading "Annette Vietti-Cook".

ANNETTE L. VIETTI-COOK
Secretary of the Commission

Dated at Rockville, Maryland
this 25th day of March, 2004

Sequoyah Fuels Corporation
40-8027-MLA-5

INDEX OF FILINGS

RAS ID NO.	DOCKET NUMBER	PLANT NAME	DESCRIPTION	DOCUMENT DATE	DOCKET DATE	RELATED CORRES.	ACCESSION NO.
5124	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY CITIZENS' ACTION FOR SAFE ENERGY, INC.	12/14/2002	12/17/2002		ML023650686
5125	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY DAVID A. MULLON JR. ON BEHALF OF CHEROKEE NATION W/NOTICE OF APPEARANCE OF MULLON	12/16/2002	12/17/2002		ML023650684
5126	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY BILL BRYANT	12/13/2002	12/17/2002		ML023650682
5128	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY MIKE FULLER	12/13/2002	12/17/2002		ML023650680
5129	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY BARBARA A. GEARY	12/12/2002	12/17/2002		ML023650678

RAS ID NO.	DOCKET NUMBER	PLANT NAME	DESCRIPTION	DOCUMENT DATE	DOCKET DATE	RELATED CORRES.	ACCESSION NO.
5130	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY RICHARD GEARY	12/13/2002	12/17/2002		ML030020513
5131	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY JACQULYN C. LONGACRE	12/13/2002	12/17/2002		ML023650675
5132	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY MIKE MARSHALL	12/17/2002	12/17/2002		ML023650670
5133	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY BOB NICHOLS	12/13/2002	12/17/2002		ML023650656
5134	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY CARL HOOT REYNOLDS	12/13/2002	12/17/2002		ML023650655

RAS ID NO.	DOCKET NUMBER	PLANT NAME	DESCRIPTION	DOCUMENT DATE	DOCKET DATE	RELATED CORRES.	ACCESSION NO.
5135	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY CHRISTOPHER T. ROBINSON	12/13/2002	12/17/2002		ML023650644
5136	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY BILLYE VAN SCHUYVER	12/13/2002	12/17/2002		ML023650641
5137	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY ANTHONY OLIVER SMITH	12/13/2002	12/17/2002		ML023650636
5139	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY KIRK F. WILLIAMS	12/13/2002	12/17/2002		ML023650632
5141	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY KELLY HUNTER BURCH ON BEHALF OF THE STATE OF OKLAHOMA	12/16/2002	12/17/2002		ML023650671

RAS ID NO.	DOCKET NUMBER	PLANT NAME	DESCRIPTION	DOCUMENT DATE	DOCKET DATE	RELATED CORRES.	ACCESSION NO.
5166	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY JAMES NIMMO	12/13/2002	12/17/2002		ML023650626
5140	40-8027-MLA-5	SEQUOYAH FUELS	LICENSEE'S AND NRC STAFF'S JOINT UNOPPOSED MOTION FOR 30-DAY EXTENSION OF TIME TO FILE ANSWERS TO THE STATE OF OKLAHOMA AND CHEROKEE NATION REQUESTS FOR HEARING	12/18/2002	12/18/2002		ML023650630
5152	40-8027-MLA-5	SEQUOYAH FUELS	NOTICE OF APPEARANCE OF DAVID A. MULLON, JR. ON BEHALF OF CHEROKEE NATION	12/19/2002	12/19/2002		ML023650628
5127	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY MARGARET COX	12/13/2002	12/20/2002		ML023650681
5138	40-8027-MLA-5	SEQUOYAH FUELS	REQUEST FOR HEARING SUBMITTED BY DARLA REYNOLDS SPARKS	12/13/2002	12/20/2002		ML023650635

RAS ID NO.	DOCKET NUMBER	PLANT NAME	DESCRIPTION	DOCUMENT DATE	DOCKET DATE	RELATED CORRES.	ACCESSION NO.
5123	40-8027-MLA-5	SEQUOYAH FUELS	SECY MEMORANDUM TO LB REFERRING REQUESTS FOR HEARING	12/20/2002	12/24/2002		ML023580294
5143	40-8027-MLA-5	SEQUOYAH FUELS	LB ORDER (GRANTING JOINT MOTION FOR EXTENSION OF TIME TO FILE ANSWERS) - SERVED	12/26/2002	12/26/2002		ML030020289
5167	40-8027-MLA-5	SEQUOYAH FUELS	LB DESIGNATION OF PRESIDING OFFICER (ROSENTHAL, PRESIDING OFFICER; MURPHY, SPECIAL ASSISTANT) - SERVED	12/31/2002	12/31/2002		ML030020283
5176	40-8027-MLA-5	SEQUOYAH FUELS	SEQUOYAH FUELS CORPORATION'S ANSWER OPPOSING CITIZENS' ACTION FOR SAFE ENERGY, INC.'S REQUEST FOR HEARING	12/26/2002	01/03/2003		ML030070005
5177	40-8027-MLA-5	SEQUOYAH FUELS	SEQUOYAH FUELS CORPORATION'S ANSWER OPPOSING REQUESTS FOR HEARING FILED BY INDIVIDUAL RESIDENTS OF THE STATE OF OKLAHOMA	12/26/2002	01/03/2003		ML030070004

RAS ID NO.	DOCKET NUMBER	PLANT NAME	DESCRIPTION	DOCUMENT DATE	DOCKET DATE	RELATED CORRES.	ACCESSION NO.
5247	40-8027-MLA-5	SEQUOYAH FUELS	NRC STAFF RESPONSE TO REQUESTS FOR HEARING BY CITIZENS' ACTION FOR SAFE ENERGY, INC. AND FIFTEEN INDIVIDUALS W/NOTICES OF APPEARANCE OF ANGELA B. COGGINS AND JENNIFER M. EUCHNER ON BEHALF OF THE NRC STAFF	01/10/2003	01/13/2003		ML030760783
5291	40-8027-MLA-5	SEQUOYAH FUELS	LETTERS FROM BESSETTE TO WILLIAMS, REYNOLDS, VAN SCHUYVER, AND SPARKS ENCLOSING SEQUOYAH FUELS CORP.'S ANSWER OPPOSING REQUESTS FOR HEARING FILED BY INDIVIDUAL RESIDENTS OF THE STATE OF OKLAHOMA	01/08/2003	01/14/2003		ML030150465
5473	40-8027-MLA-5	SEQUOYAH FUELS	JOINT MOTION OF LICENSEE, CHEROKEE NATION, STATE OF OKLAHOMA, AND NRC STAFF FOR AN EXTENSION OF THE TIME TO FILE ANSWERS TO THE REQUESTS FOR HEARING OF STATE OF OKLAHOMA AND CHEROKEE NATION	01/21/2003	01/28/2003		ML030290399
5471	40-8027-MLA-5	SEQUOYAH FUELS	LB MEMORANDUM AND ORDER (GRANTING IN PART JOINT MOTION FOR FURTHER EXTENSION OF TIME TO FILE RESPONSES) - SERVED	01/29/2003	01/29/2003		ML030300768
6107	40-8027-MLA-5	SEQUOYAH FUELS	NOTICE OF WITHDRAWAL FOR DAVID A. MULLON JR. AND THE SUBSTITUTION OF OF JULIAN K. FITE	03/12/2003	03/19/2003		ML030800099

RAS ID NO.	DOCKET NUMBER	PLANT NAME	DESCRIPTION	DOCUMENT DATE	DOCKET DATE	RELATED CORRES.	ACCESSION NO.
6222	40-8027-MLA-5	SEQUOYAH FUELS	NOTICE OF WITHDRAWAL OF JENNIFER M. EUCHNER ON BEHALF OF THE NRC STAFF	03/31/2003	03/31/2003		ML030900579
6320	40-8027-MLA-5	SEQUOYAH AND WATTS BAR	NRC STAFF RESPONSE TO REQUESTS FOR HEARING FILED BY THE STATE OF OKLAHOMA AND THE CHEROKEE NATION	04/16/2003	04/16/2003		ML031070237
6334	40-8027-MLA-5	SEQUOYAH FUELS	LETTER FROM JULIAN K. FITE INFORMING THAT CHEROKEE NATION IS WITHDRAWING ITS REQUEST FOR HEARING W/ATT	04/15/2003	04/22/2003		ML031140059
6337	40-8027-MLA-5	SEQUOYAH FUELS	SEQUOYAH FUELS CORPORATION'S ANSWER OPPOSING STATE OF OKLAHOMA'S REQUEST FOR HEARING	04/16/2003	04/22/2003		ML031140070
6366	40-8027-MLA-5	SEQUOYAH FUELS	LB MEMORANDUM (CERTIFICATION OF QUESTIONS TO THE COMMISSION PURSUANT TO 10 C.F.R. § 2.1209 (d)) (LBP-03-07) - SERVED	05/01/2003	05/01/2003		ML031210814

RAS ID NO.	DOCKET NUMBER	PLANT NAME	DESCRIPTION	DOCUMENT DATE	DOCKET DATE	RELATED CORRES.	ACCESSION NO.
6388	40-8027-MLA-5	SEQUOYAH FUELS	NOTICE OF APPEARANCE OF MARIAN L. ZOBLER ON BEHALF OF STAFF	05/12/2003	05/12/2003		ML031320808
6523	40-8027-MLA-5	SEQUOYAH FUELS	COMMISSION MEMORANDUM AND ORDER (CLI-03-06) - SERVED	06/13/2003	06/13/2003		ML031640114
6594	40-8027-MLA-5	SEQUOYAH FUELS	NRC STAFF'S POSITION ON CLASSIFICATION OF A PORTION OF SEQUOYAH FUELS CORPORATION'S WASTE AS § 11e.(2) BYPRODUCT MATERIAL	07/03/2003	07/07/2003		ML032020129
6599	40-8027-MLA-5	SEQUOYAH FUELS	STATE OF OKLAHOMA'S BRIEF IN OPPOSITION TO RECLASSIFICATION OF SEQUOYAH FUELS CORPORATION'S WASTE AS MILL TAILINGS.	07/02/2003	07/08/2003		ML031920417
6611	40-8027-MLA-5	SEQUOYAH FUELS	SEQUOYAH FUELS CORPORATION'S BRIEF ON WHETHER ANY PORTION OF THE SFC WASTE CAN BE CONSIDERED AS 11E.(2) BYPRODUCT MATERIAL	07/03/2003	07/09/2003		ML031970329

RAS ID NO.	DOCKET NUMBER	PLANT NAME	DESCRIPTION	DOCUMENT DATE	DOCKET DATE	RELATED CORRES.	ACCESSION NO.
6637	40-8027-MLA-5	SEQUOYAH FUELS	NRC STAFF'S REPLY BRIEF REGARDING CLASSIFICATION OF A PORTION OF SEQUOYAH FUELS CORPORATION'S WASTE AS § 11e.(2) BYPRODUCT MATERIAL	07/18/2003	07/18/2003		ML032050187
6642	40-8027-MLA-5	SEQUOYAH FUELS	STATE OF OKLAHOMA'S REPLY BRIEF IN OPPOSITION TO RECLASSIFICATION OF SEQUOYAH FUELS CORPORATION'S WASTE AS 11e.(2) BY PRODUCT	07/17/2003	07/22/2003		ML032050285
6652	40-8027-MLA-5	SEQUOYAH FUELS	SEQUOYAH FUELS CORPORATION'S REPLY TO THE STATE OF OKLAHOMA'S BRIEF ON THE CERTIFIED QUESTION	07/18/2003	07/24/2003		ML032060261
6814	40-8027-MLA-5	SEQUOYAH FUELS	LB NOTICE OF RECONSTITUTION (ANTHONY J. BARATTA REPLACING THOMAS D. MURPHY AS SPECIAL ASSISTANT) - SERVED	09/16/2003	09/16/2003		ML032661182
7046	40-8027-MLA-5	SEQUOYAH FUELS	COMMISSION MEMORANDUM AND ORDER (CLI-03-15) - SERVED	11/13/2003	11/13/2003		ML033280666

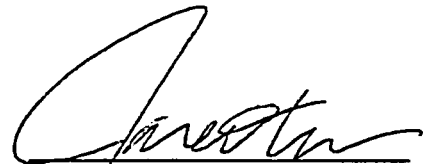
RAS ID NO.	DOCKET NUMBER	PLANT NAME	DESCRIPTION	DOCUMENT DATE	DOCKET DATE	RELATED CORRES.	ACCESSION NO.
7077	40-8027-MLA-5	SEQUOYAH FUELS	LB MEMORANDUM AND ORDER (LBP-03-25) (DENYING HEARING REQUESTS) - SERVED	11/21/2003	11/21/2003		ML033250474
7118	40-8027-MLA-5	SEQUOYAH FUELS	NOTICE OF THE STATE OF OKLAHOMA'S APPEAL FROM THE PRESIDING OFFICER'S DECISION TO DENY THE STATE'S REQUEST FOR HEARING ON THE 11E(2) LICENSE AMENDMENT AND BRIEF IN SUPPORT	12/01/2003	12/05/2003		ML033420230
7146	40-8027-MLA-5	SEQUOYAH FUELS	NRC STAFF'S RESPONSE TO OKLAHOMA'S APPEAL FROM THE PRESIDING OFFICER'S DECISION TO DENY THE STATE'S REQUEST FOR HEARING	12/16/2003	12/16/2003		ML033640231
7166	40-8027-MLA-5	SEQUOYAH FUELS	COUNTER STATEMENT OF SEQUOYAH FUELS CORPORATION TO APPEAL FILED BY THE STATE OF OKLAHOMA	12/16/2003	12/22/2003		ML033580017
7214	40-8027-MLA-5	SEQUOYAH FUELS	COMMISSION MEMORANDUM AND ORDER (CLI-04-01) - SERVED	01/08/2004	01/08/2004		ML040081031

CERTIFICATE OF SERVICE

I hereby certify that on March 29, 2004, copies of the foregoing Certified Index of the Record were served by mail, postage prepaid, upon the following counsel:

Sarah E. Penn
Office of Attorney General
State of Oklahoma
4545 N. Lincoln Blvd., Suite 260
Oklahoma City, OK 73105-3498

Michael F. Healy
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004



Jared K. Heck