

**UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT**

NEW JERSEY DEPARTMENT OF	)	
ENVIRONMENTAL PROTECTION,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 07-2271
	)	
U.S. NUCLEAR REGULATORY	)	
COMMISSION, UNITED STATES OF	)	
AMERICA,	)	
Respondents.	)	

**FEDERAL RESPONDENTS' CONSENTED MOTION  
FOR LEAVE TO FILE A SUPPLEMENTAL APPENDIX**

Pursuant to Rules 27 and 30 of the Federal Rules of Appellate Procedure ("FRAP"), and LAR 30, the Nuclear Regulatory Commission and United States of America ("Federal Respondents") hereby move for leave to file a Supplemental Appendix in the above-captioned case. Counsel for all parties have graciously consented to the granting of this Motion.

1. Federal Respondents originally designated portions of the Generic Environmental Impact Statement for License Renewal of Nuclear Plants, NUREG-1437, Vol. 1 (May 1996) ("GEIS"), for inclusion in the Petitioner's Appendix. However, that material was inadvertently omitted. Subsequently, Federal Respondents concluded that citation to additional portions of the GEIS were required in Federal Respondents' Answering Brief.

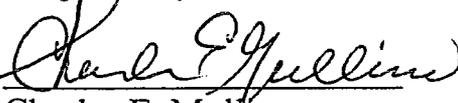
2. All parties have agreed that the GEIS is a part of the Record in this case and that it is not necessary to supplement the Record to include portions of the GEIS in the Appendix for this Court's consideration.

3. The undersigned has consulted with John Covino and Eileen Kelly, co-counsel for Petitioner New Jersey Department of Environmental Protection, and with Brad Fagg, counsel for private Respondent AmerGen Energy Company, who have all graciously consented to the granting of this Motion.

4. Federal Respondents have enclosed four copies of the Supplemental Appendix with this Motion, and have served one copy on counsel for each party.

For the foregoing reasons, this Court should grant Federal Respondents' Motion and File the Respondents' Supplemental Appendix in this case.

Respectfully submitted,



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Dated: January 17, 2008.

## CERTIFICATE OF SERVICE

I hereby declare under penalty of perjury that I filed the Federal Respondents's "Consented Motion for Leave to File A Supplemental Appendix" in Case No. 07-2271 by placing the original and four copies of the same, together with four copies of the Supplemental Appendix, in an overnight delivery service, postage prepaid, addressed to this Court, and on the following counsel by placing two copies of the same, together with one copy of the Supplemental Appendix, in an overnight delivery service, postage prepaid:

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January 17, 2008