

**IN THE UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT**

EASTERN NAVAJO DINE' AGAINST URANIUM)	
MINING, SOUTHWEST RESEARCH CENTER,)	
MARILYN MORRIS, and GRACE SAM,)	
Petitioners,)	
v.)	No. 07-9505
)	
U.S. NUCLEAR REGULATORY COMMISSION)	
and the UNITED STATES OF AMERICA,)	
Respondents, and)	
HYDRO RESOURCES, INC.,)	
Intervenor.)	
)	

**FEDERAL RESPONDENTS' DESIGNATION
OF PORTIONS OF THE RECORD TO BE INCLUDED
IN THE DEFERRED JOINT APPENDIX**

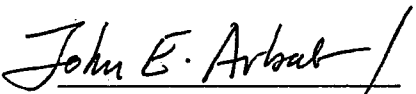
Pursuant to Rule 30(c) of the Federal Rules of Appellate Procedure, the Federal Respondents designate the following portions of the Record to be included in the Deferred Joint Appendix in the above-captioned matter. Those items marked with an "*" have been included with the copies of this filing served on Eric Jantz, Counsel for Petitioners, to assist them in preparing and filing the Deferred Joint Appendix.

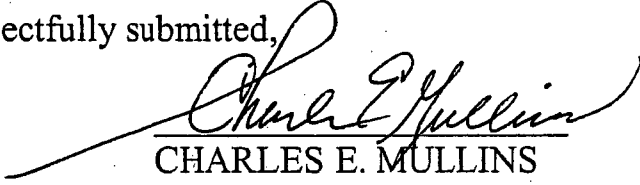
1. NUREG-1508, Draft Environmental Impact Statement to Construct and Operate the Crownpoint Uranium Solution Mining Project, Crownpoint, New Mexico (October, 1994): Cover, internal cover page, abstract, and pages 3-19, 3-20, 4-12, and 4-13.*
2. NUREG-1508, Final Environmental Impact Statement to Construct and Operate the Crownpoint Uranium Solution Mining Project, Crownpoint,

- New Mexico (February, 1997): Cover, internal cover page, abstract, and pages 2-2 through 2-12, inclusive; 2-19 and 2-20; 3-12 and 3-13; 4-15; 4-26 through 4-40, inclusive; 4-58 through 4-63, inclusive; 4-72 and 4-73; 4-113 through 4-115, inclusive; 4-121 through 4-127, inclusive, and Appendix C (all pages).
3. Hearing Transcript: pages 284-307, inclusive; 311 and 312; and 319-21, inclusive.*
 4. Crownpoint Uranium Project Consolidated Operations Plan, Revision 2.0 (Aug. 15, 1997): Cover page and pages 165-68, inclusive.*
 5. NUREG/CR-6733, A Baseline Risk-Informed, Performance-Based Approach for In Situ Leach Uranium Extraction Licensees (September, 2001): Cover, internal cover page, abstract, and pages 2-1 through 2-6, inclusive.*
 6. NUREG/CR-6870, Consideration of Geochemical Issues in Groundwater Restoration at Uranium In-situ Leach Mining Facilities (January, 2007): Cover, internal cover page, abstract, and pages 15-23, inclusive.*
 7. NUREG-1569, Standard Review Plan for In Situ Leach Uranium Extraction License Applications (June, 2003): Cover, internal cover page, abstract, and pages 2-24; 5-36 through 5-41, inclusive; and 6-1 through 6-10, inclusive.*
 8. EPA Document #402-R-00-01 (June 2000): Cover, Executive Summary, and first substantive page (all unnumbered).*
 9. SECY-88-315 (Nov. 4, 1988) and Enclosure 10: Cover page and signature page of SECY-88-315, and pages 1-4, inclusive, of Enclosure 10.*
 10. Affidavit of William H. Ford (Feb. 20, 1998): pages 1; 5-6; 24-27, inclusive; and Attachment 1 (Resume).*
 11. Affidavit of William H. Ford (Mar. 12, 1999): Cover page of Staff Pleading, and pages 1; 14 (and Attachment C); and 24.*

12. Affidavit of William H. Ford (May 11, 1999): Cover page of Staff Pleading, and pages 1-4, inclusive; and 9-15, inclusive.*
13. Affidavit of William H. Ford (Jan. 22, 2001): Cover page of Staff Pleading, and pages 1; 3-5 inclusive; 8-9; and 12-13.
14. License SUA-1505 (January 5, 1998).
15. Petitioners Amended Groundwater Brief (Jan. 18, 1999): Cover and pages 65-68, inclusive.
16. Petitioners' Brief on NEPA Issues (Feb. 19, 1999): Cover and pages 46-50, inclusive.

Respectfully submitted,


JOHN E. ARBAB / *cear*
Attorney
Environment and Natural
Resources Division
U.S. Department of Justice
P.O. Box 23795
L'Enfant Plaza Station
Washington, D.C. 20026
202-514-4046


CHARLES E. MULLINS
Senior Attorney
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
301-415-1618

October 23, 2007

CERTIFICATE OF SERVICE

I certify under penalty of perjury that on this day I filed the Federal Respondents' "Designation of Portions of the Record to be Included in the Deferred Joint Appendix" by sending the original and four copies to the Court and by serving two copies on the counsel listed below:

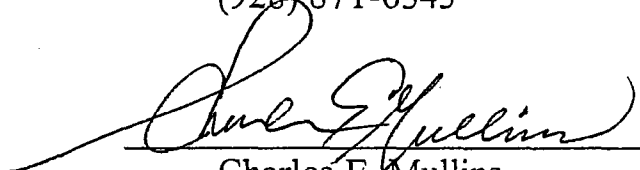
Eric D. Jantz, Esq.
New Mexico Environmental
Law Center
1405 Luisa Street, Suite 5
Sante Fe, New Mexico 87505
(505) 989-9022

Zackeree Sean Kelin, Esq.
DNA-Peoples Legal Services, Inc.
P.O. Box 306
Window Rock, AZ 86515
(928) 871-5036

Diane Curran, Esq.
Harmon, Curran, Spielburg
& Eisenberg, L.L.P.
1726 M Street, N.W., Suite 600
Washington, D.C. 20036
(202) 328-3500

Christopher S. Pugsley, Esq.
Thompson & Simmons, PLLC
1225 19th Street, NW, Suite 300
Washington, DC 20036
(202) 496-0780

Louis Denetsosie, Esq.
David A. Taylor, Esq.
Navajo Nation Department of Justice
P.O. Box 2010
Window Rock, Arizona 86515
(928) 871-6343



Charles E. Mullins
Senior Attorney
Office of the General Counsel
U.S. Nuclear Regulatory Commission

Dated: October 23, 2007.