

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

BRIEFING AND ORAL ARGUMENT NOT YET SCHEDULED

STATE OF NEVADA,)	
)	
Petitioner,)	
)	
v.)	Case No. 09-1133
)	
UNITED STATES NUCLEAR REGULATORY COMMISSION,)	
)	
Respondent.)	
)	
)	
)	

**CERTIFICATE AS TO PARTIES, RULINGS,
AND RELATED CASES**

A. Parties, Intervenor, and Amici in this Court:

1. Parties.

State of Nevada (Petitioner).

Nuclear Regulatory Commission (Respondent).

B. Rulings Under Review:

The State of Nevada's petition seeks review of the final rule of the respondent entitled "Implementation of a Dose Standard After 10,000

Years,” signed by Annette L. Vietti-Cook, Secretary of the United States Nuclear Regulatory Commission (NRC), on March 9, 2009, and published in the Federal Register (74 Fed. Reg. 10811-10830) on March 13, 2009 (the “2009 NRC Yucca Mountain Rule”).

C. Related Cases:

State of Nevada v. United States Environmental Protection Agency, et. al., Case No. 08-1327, is directed at a different respondent and administrative decision. However, the issues in that action are closely related to the issues in this action, and address interrelated agency responsibilities.

June 11, 2009.

Respectfully submitted,

Catherine Cortez Masto
Nevada Attorney General
Marta Adams
Chief Deputy Attorney General
Bureau of Government Affairs
Attorney General’s Office
100 North Carson Street
Carson City, Nevada 89701-4747
Tel.: (775) 684-1237

Egan, Fitzpatrick & Malsch, PLLC
Charles J. Fitzpatrick
12500 San Pedro Avenue, Suite 555
San Antonio, TX 78216
Tel: (210) 496-5001
Fax: (210) 496-5011
Martin G. Malsch
2001 K Street, N.W., Suite 400

Washington, D.C. 20006
Tel: (202) 662-2103
Fax: (202) 662-2105

Rossmann and Moore, LLP
Antonio Rossmann
Roger B. Moore*
Jennifer L. Seidenberg
380 Hayes Street, Suite One
San Francisco, CA 94102
Tel: (415) 861-1401
Fax: (415) 861-1822

By:  _____

Roger B. Moore

Attorneys for Petitioner State of Nevada

* Counsel of Record

CERTIFICATE OF SERVICE

I, **Nayelli González**, hereby declare under penalty of perjury as follows:

I am over the age of 18 years and am not a party to the within action. My business address is 380 Hayes Street, Suite One, San Francisco, California 94102.

I am, on this **11th day of June 2009** serving the following documents:

CERTIFICATE OF PARTIES, RULINGS, AND RELATED CASES

by certified mail, return receipt requested, at San Francisco, California by depositing in sealed envelope a petition copy, time-stamped by the Clerk of the Court, to each of the following persons:

Executed on **June 11, 2009**, at San Francisco, California.



Nayelli González

SERVICE LIST

AARON AVILA
U.S. Department of Justice
Environmental and Natural Resources Division
PO Box 23795
Washington, D.C. 20026

JOHN F. CORDES
Solicitor
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

STEVEN F. CROCKETT
Special Counsel
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555