



OFFICE OF THE
GENERAL COUNSEL

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 25, 2009

Michael E. Gans, Clerk
U.S. Court of Appeals
For the Eighth Circuit
Thomas F. Eagleton Courthouse
Room 24.329
111 South 10th Street
St. Louis, Missouri 63102

ATTENTION: Mr. Mike Shay

RE: *Oglala Sioux Tribe v. U.S. Nuclear Regulatory Commission*, No. 09-2262; and
Western Nebraska Resources Council, et al., v. U.S. Nuclear Regulatory Commission,
09-2285 (Consolidated).

Dear Sir:

The NRC employees and attorneys listed below are not participating in this case before this Court. Accordingly, neither the parties nor this Court is required to serve them with copies of pleadings or orders in this consolidated case. Those persons are:

Mr. Brett Klukan
Ms. Brooke Poole
Ms. Johanna Thibault
Ms. Annette Vietti-Cook

You may remove them from the Court's service list for this case. However, they remain on the service list for the administrative proceedings currently pending before the agency.

Thank you for your attention to this matter.

Respectfully,

s/Charles E. Mullins
Charles E. Mullins
Senior Attorney
Office of the General Counsel
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, Maryland 20852

**CERTIFICATES OF SERVICE
FOR DOCUMENTS FILED USING CM/ECF**

Certificate of Service When Not All Case Participants Are CM/ECF Participants

I hereby certify that on June 25, 2009, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

I further certify that some of the participants in the case are not CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third-party commercial carrier for delivery within 3 calendar days, to the following non-CM/ECF participants:
Michael T. Gray, U.S. Department of Justice,

s/ Charles E. Mullins