

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 07-2271

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NEW JERSEY DEPARTMENT OF  
ENVIRONMENTAL PROTECTION,

Petitioner

v.

UNITED STATES NUCLEAR REGULATORY COMMISSION;  
AMERGEN ENERGY COMPANY, LLC

Respondent

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Petition for Review of an Order  
by the United States Nuclear Regulatory Commission  
(NRC-1 : 50-0219-LR)

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Argued on December 10, 2008

Before: McKEE, SMITH and ROTH, Circuit Judges

**JUDGMENT**

This case came on to be heard on the record before the United States Nuclear  
Regulatory Commission and was argued on December 10, 2008.

On consideration whereof,

**IT IS ORDERED AND ADJUDGED** by this Court that the petition for review of the decision and Order of the Regulatory Commission entered on February 26, 2007, be and the same is hereby denied. Costs taxed against Petitioner.

All of the above in accordance with the Opinion of this Court.

**ATTEST:**

**/s/ Marcia M. Waldron**  
**Clerk**

Dated: March 31, 2009