

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

No. 10-1050

Consolidated With Nos. 10-1052, 10-1069, 10-1082, 10-1084

IN RE AIKEN COUNTY,
PETITIONER

ON PETITIONS FOR MANDAMUS AND PETITIONS FOR REVIEW
AND INJUNCTIVE RELIEF

RESPONDENTS' STATUS REPORT

In response to the Court's Order of July 28, 2010, directing that the parties file a status report by August 27, 2010, and every thirty days thereafter, Federal Respondents and State of Nevada^{1/} submit the following report:

The Nuclear Regulatory Commission has under active consideration the 23 briefs filed on or before July 19, 2010, by 13 participants in the licensing proceeding addressing whether the Nuclear Regulatory Commission should review, and reverse or uphold, the Atomic Safety and Licensing Board's June 29, 2010, order denying the Department of Energy's motion to withdraw with prejudice its application to construct a high-level waste repository at Yucca

^{1/} State of Nevada concurs in and joins this status report.

Mountain, Nevada. The Commission has not yet issued a final decision in response to those briefs.

Respectfully submitted,

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September 27, 2010
DJ # 90-13-5-13056

CERTIFICATE OF SERVICE

Pursuant to Fed. R. App. P. 25(c), D.C. Circuit Rule 25(c), and this Court's Administrative Order of May 15, 2009, I hereby certify that on this date, September 27, 2010, I caused the foregoing status report to be filed upon the Court through the use of the D.C. Circuit CM/ECF electronic filing system, and thus also served on counsel of record. The resulting service is consistent with the preferences articulated by counsel of record in the Service Preference Report. I have also served a copy by U.S. Mail to the following addresses:

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