

UNITED STATES COURT OF APPEALS FOR THE
DISTRICT OF COLUMBIA CIRCUIT

PRAIRIE ISLAND INDIAN
COMMUNITY,

Petitioner,

v.

UNITED STATES NUCLEAR
REGULATORY COMMISSION
and the UNITED STATES OF
AMERICA,

Case No.11-1057-ag (consolidated
with Case Nos. 11-1045, 11-1051,
11-056)

Respondents.

Certificate as to Parties, Rulings, and Related Cases

Pursuant to D.C. Circuit Rule 28(a)(1), counsel for Petitioner certifies as follows:

1. Parties, Intervenors, and *Amici Curiae*.

Petitioner in No. 11-1057 is Prairie Island Indian Community. Respondents are the United States Nuclear Regulatory Commission and the United States of America. This matter has also been consolidated with the following actions in the D.C. Circuit:

- No. 11-1045, *State of New York, et al. v. United States Nuclear Regulatory Commission and the United States of America*. Petitioners in No. 11-1045 are the State of New York, the State of Vermont, and the

State of Connecticut. Respondents are the United States Nuclear Regulatory Commission and the United States of America.

- No. 11-1051, *Natural Resources Defense Council v. United States Nuclear Regulatory Commission and United States of America*.

Petitioner in No. 11-1051 is the Natural Resources Defense Council. Respondents are the United States Nuclear Regulatory Commission and the United States of America.

- No. 11-1056, *Blue Ridge Environmental Defense League, et al. v. United States Nuclear Regulatory Commission and the United States of America*.

Petitioners in No. 11- 1056 are the Blue Ridge Environmental Defense League, Riverkeeper, Inc., and Southern Alliance for Clean Energy, Inc. Respondents are the United States Nuclear Regulatory Commission and the United States of America.

The State of New Jersey has moved to intervene in these consolidated proceedings in support of Petitioners. The Nuclear Energy Institute, Inc. and Entergy Nuclear Operations, Inc. have moved to intervene in the consolidated proceedings in support of Respondents. We are aware of no *amici curiae* in any of these proceedings.

2. Rulings Under Review

Petitioners seek review of the following NRC rulemaking decisions:

- Final rule, Consideration of Environmental Impacts of Temporary Storage of Spent Fuel After Cessation of Reactor Operation, 75 Fed. Reg. 81,032 (Dec. 23, 2010); and
- Update and final revision, Waste Confidence Decision Update, 75 Fed. Reg. 81,037 (Dec. 23, 2010).

3. Related Cases

This case has been consolidated with Case Nos. 11-1045, 11-1051, and 11-1057, which are described above. Those petitions for review challenge the same NRC rulemaking decisions that Petitioner challenges here.

Respectfully submitted,

Dated: April 4, 2011

/s Joseph F. Halloran
Joseph F. Halloran (244132)
Jacobson, Buffalo, Magnuson, Anderson &
Hogen, P.C.
335 Atrium Office Building
1295 Bandana Boulevard
St. Paul, MN 55108
Tel.: 651-357-1487
Fax: 651-644-5904
E-mail: jfh@jacobsonbuffalo.com

**Counsel for Petitioner Prairie Island Indian
Community**