

MANDATE

**UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 7th day of January, two thousand and thirteen.

Before: ROBERT D. SACK,
REENA RAGGI,
Circuit Judges,
LAURA TAYLOR SWAIN,
*District Judge.**

RICHARD L. BRODSKY, New York State Assemblyman,
From the 92nd Assembly District, in His Official and Individual
Capacities, WESTCHESTER'S CITIZEN AWARENESS
NETWORK (WESTCAN), SIERRA CLUB-ATLANTIC
CHAPTER (SIERRA CLUB),

Plaintiffs - Appellants,

PUBLIC HEALTH AND SUSTAINABLE ENERGY (PHASE),

Plaintiff,

v.

UNITED STATES NUCLEAR REGULATORY COMMISSION,

Defendant - Appellee,

ENTERGY NUCLEAR OPERATIONS, INC.,

Defendant.

JUDGMENT

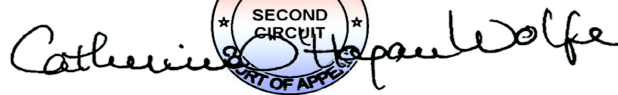
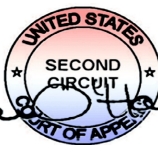
Docket No. 11-2016

The appeal in the above captioned case from a judgment of the United States District Court for the Southern District of New York was argued on the district court's record and the parties' briefs. Upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the judgment of the district court is AFFIRMED in part, and VACATED in part, and the case is REMANDED in accordance with the opinion of this court.

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court

* Judge Laura Taylor Swain of the United States District Court for the Southern District of New York, sitting by designation.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit