

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

SHIELDALLOY METALLURGICAL CORPORATION)	
Petitioner,)	
)	
v.)	
)	No. 13-1259
UNITED STATES NUCLEAR REGULATORY)	
COMMISSION and the)	
)	
UNITED STATES OF AMERICA)	
Respondents.)	
)	

**PETITIONER’S CERTIFICATE AS TO PARTIES, RULINGS
AND RELATED CASES**

Pursuant to the Court’s Order of October 3, 2013, Petitioner Shieldalloy Metallurgical Corporation (“Shieldalloy”) certifies as follows:

1. **Parties.** In addition to Petitioner, parties to this action are Respondents United States Nuclear Regulatory Commission (“NRC”) and the United States of America.

Shieldalloy is a Delaware corporation and is a direct, wholly-owned subsidiary of Metallurg, Inc., a Delaware corporation, and an indirect subsidiary of Metallurg Holdings, Inc., a Delaware corporation. It is also an indirect subsidiary of Metallurg Delaware Holdings Corporation, a privately-

owned holding company, and of AMG Advanced Metallurgical Group N.V., a publicly-owned company.

Shieldalloy is an industrial company that, at its facility in Newfield, New Jersey, manufactured for a number of years metal alloys from ores containing small amounts of uranium and thorium. Shieldalloy has held for many years materials license No. SMB-743 issued by the U.S. Nuclear Regulatory Commission (“NRC”) authorizing it to possess the uranium and thorium at its Newfield facility. Such license has been transferred to the State of New Jersey by order of the NRC.

2. **Ruling Under Review.** The agency action of which review is sought is the NRC’s reinstatement of its transfer of regulatory authority over Shieldalloy’s Newfield, New Jersey facility to the State of New Jersey. Shieldalloy had filed a petition for review with this Court challenging the NRC’s initial transfer of authority over the Newfield Facility to New Jersey in September 2009 and, on November 9, 2010, this Court vacated the transfer and remanded the case to the NRC for further proceedings consistent with the Court’s opinion. *Shieldalloy Metallurgical Corp. v. NRC*, 624 F.3d 489 (D.C. Cir. 2010). The NRC reinstated the transfer of authority over the Newfield Facility to New Jersey, Memorandum and Order (CLI-11-12, 74 NRC 460) (October 12, 2011). Shieldalloy filed a petition

for review with this Court challenging the NRC's reinstatement of its transfer of authority over the Newfield Facility to New Jersey and, on February 19, 2013, this Court again vacated the transfer and remanded the case to the NRC for further proceedings consistent with the Court's opinion. *Shieldalloy Metallurgical Corp. v. NRC*, 707 F.3d 371 (D.C. Cir. 2013). On remand, the NRC again reinstated its transfer of authority over the Newfield Facility to New Jersey, Memorandum and Order, CLI-13-06, 78 NRC __ (August 5, 2013).

3. **Related Cases.** In *Shieldalloy Metallurgical Corp. v. NRC*, 624 F.3d 489 (D.C. Cir. 2010) and *Shieldalloy Metallurgical Corp. v. NRC*, 707 F.3d 371 (D.C. Cir. 2013) this Court reviewed the validity of the NRC's 2009 and 2011 transfers of authority over the Newfield Facility to New Jersey.

Respectfully submitted,

/S/ Matias F. Travieso-Diaz

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Dated: November 4, 2013

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Petitioner's Certificate as to Parties, Rulings, and Related Cases was filed with the Clerk of the Court using the CM/ECF System this 4th day of November, 2013.

The following participants in the case who are registered CM/ECF filers will be served through the CM/ECF System:

Andrew P. Averbach, Esq., Solicitor
Grace H. Kim, Senior Attorney
Office of the General Counsel
U.S. Nuclear Regulatory Commission

Eric Holder, Attorney General of the United States
U.S. Department of Justice
Washington, DC 20530-0001

In addition, courtesy copies of the foregoing Petitioner's Certificate as to Parties, Rulings, and Related Cases were served by first class mail on the following non-parties:

John Jay Hoffman, Esq.
Acting Attorney General of New Jersey
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/S/ Matias F. Travieso-Diaz

Matias F. Travieso-Diaz