

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

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MISSOURI COALITION FOR	)		
THE ENVIRONMENT, INC.,	)		
	)		
Petitioner,	)		
	)		
v.	)	No. 15-1114	
	)		
U.S. NUCLEAR REGULATORY	)		
COMMISSION and the UNITED	)		
STATES OF AMERICA,	)		
	)		
Respondents,	)		
	)		
UNION ELECTRIC CO.	)		
	)		
Intervenor.	)		
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**PETITIONER’S UNOPPOSED MOTION TO  
VOLUNTARILY DISMISS PETITION FOR REVIEW**

Pursuant to Fed.R.App.P. 42(b) and the Court’s order of July 18, 2016, Petitioner, Missouri Coalition for the Environment, Inc., submits this motion to voluntarily dismiss the above-captioned petition for review with prejudice. Federal Respondents and Intervenor, Union Electric Co., do not oppose this motion. Pursuant to Fed.R.App.P. 39(a), each party has agreed to bear its own costs relating to these petitions.

In the above-captioned petition for review, Petitioner challenged the U.S. Nuclear Regulatory Commission’s (“NRC’s”) decision to renew the Callaway

operating license for its reliance on the NRC's Continued Spent Fuel Storage Rule and related Generic Environmental Impact Statement ("GEIS"). The Continued Spent Fuel Storage Rule and GEIS were appealed to this Court in *State of New York v. NRC*, Nos. 14-1210, 14-1212, 14-1216, and 14-1217 (consolidated). The above-captioned petition for review was held in abeyance pending the Court's decision in the rulemaking appeal.

On June 3, 2016, the Court issued a decision in *State of New York*, denying review of the Rule and GEIS. By Order dated July 18, 2016, the Court extended the time for holding this case in abeyance, pending the outcome of a petition for rehearing *en banc*. On August 8, 2016, the Court denied *en banc* review.

The Court's decision in *State of New York* has resolved all of Petitioner's challenges to the Continued Spent Fuel Storage Rule and associated GEIS arising under the Atomic Energy Act, the National Environmental Policy Act, and the Administrative Procedure Act. Therefore, Petitioner seeks dismissal of the above-captioned petition for review with prejudice.

Respectfully submitted,

/s/ Diane Curran

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Counsel for Petitioner

September 2, 2016

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**CERTIFICATE OF SERVICE**

I certify that on September 2, 2016, I served the foregoing Petitioner’s Unopposed Motion to Voluntarily Dismiss Petition for Review on the following by posting it on the Court’s Electronic Case Filing System:

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