

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

_____	)	
OGLALA SIOUX TRIBE, ALIGNING	)	
FOR RESPONSIBLE MINING,	)	
	)	
Petitioners,	)	No. 20-1489
	)	
v.	)	
	)	
UNITED STATES NUCLEAR	)	
REGULATORY COMMISSION and	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondents,	)	
	)	
POWERTECH (USA) INC.,	)	
	)	
Intervenor for Respondents.	)	
_____	)	

**JOINT MOTION TO REVISE BRIEFING SCHEDULE**

On March 1, 2021, the Clerk of this Court issued an Order setting a briefing schedule for this case. The parties have conferred and respectfully request that the Court grant this Joint Motion to Revise Briefing Schedule as set forth herein. The revised scheduled proposed by the parties constitutes a minor extension of the current schedule and is for good cause.

The current schedule is as follows:

PETITIONER Brief due 04/12/2021.

RESPONDENT Brief due on 05/12/2021.

INTERVENOR FOR RESPONDENT Brief due 05/19/2021.

PETITIONER Reply Brief due 06/09/2021.

DEFERRED APPENDIX due 06/16/2021.

FINAL BRIEFS due 06/30/2021.

Due previously planned travel by counsel for Petitioners over the first two weeks of April, Petitioners request an extension of one week for the due date of the Petitioner Brief. Due to the need for counsel for Respondents to coordinate between the U.S. Nuclear Regulatory Commission and the U.S. Department of Justice, Respondents request a corresponding additional fifteen (15) days for the due date of the Respondent Brief. The resulting schedule would be as follows:

PETITIONER Brief due 04/19/2021.

RESPONDENT Brief due on 06/03/2021.

INTERVENOR FOR RESPONDENT Brief due 06/10/2021.

PETITIONER Reply Brief due 07/01/2021.

DEFERRED APPENDIX due 07/08/2021.

FINAL BRIEFS due 07/22/2021.

No party opposes this Motion. Petitioners and Respondents join in the Motion. Counsel for Intervenor for Respondents Powertech (USA) Inc. states that Intervenor for Respondents does not oppose this Motion.

Respectfully submitted,

/s/ Jeffrey C. Parsons

Jeffrey C. Parsons

Western Mining Action Project

P.O. Box 349

440 Main Street, Ste. 2

Lyons, CO 80540

303-823-5738

(fax) 303-823-5732

[wmap@igc.org](mailto:wmap@igc.org)

Travis E. Stills

Energy & Conservation Law

1911 Main Avenue, Suite 238

Durango, Colorado 81301

[stills@frontier.net](mailto:stills@frontier.net)

phone:(970)375-9231

*Counsel for Petitioners*

/s/ James E. Adler

James E. Adler

Senior Attorney

Office of the General Counsel

U.S. Nuclear Regulatory Commission

11555 Rockville Pike

Rockville, MD 20852

[james.adler@nrc.gov](mailto:james.adler@nrc.gov)

301-287-9173

*Counsel for Respondents*

JEAN E. WILLIAMS

*Acting Assistant Attorney General*

JUSTIN D. HEMINGER

*Attorney*

Environment and Natural Resources Division

U.S. Department of Justice

Post Office Box 7415

Washington, D.C. 20044

(202) 514-5442

[justin.heminger@usdoj.gov](mailto:justin.heminger@usdoj.gov)

*Counsel for Respondents*

Filed this 11<sup>th</sup> day of March, 2021.

**CERTIFICATE OF COMPLIANCE**

I, Jeffrey C. Parsons, hereby certify that the foregoing Joint Motion to Revise Briefing Schedule complies with the formatting and type-volume restrictions of the rules of the U.S. Court of Appeals for the District of Columbia Circuit. The motion was prepared in 14-point, double spaced, Times New Roman font in accordance with Fed. R. App. P. 32(a)(5) and Fed. R. App. P. 32(a)(6). The response contains 229 words and therefore complies with Fed. R. App. P. 27(d)(2)(A).

*/s/ Jeffrey C. Parsons*

Jeffrey C. Parsons

Western Mining Action Project

P.O. Box 349

440 Main Street, Ste. 2

Lyons, CO 80540

303-823-5738

(fax) 303-823-5732

[wmap@igc.org](mailto:wmap@igc.org)

**CERTIFICATE OF SERVICE**

I, Jeffrey C. Parsons, hereby certify that the foregoing was served on all counsel of record in case number 20-1489 through the electronic filing system (CM/ECF) of the U.S. Court of Appeals for the District of Columbia Circuit.

*/s/ Jeffrey C. Parsons*

Jeffrey C. Parsons

Western Mining Action Project

P.O. Box 349

440 Main Street, Ste. 2

Lyons, CO 80540

303-823-5738

(fax) 303-823-5732

[wmap@igc.org](mailto:wmap@igc.org)