

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

SAN LUIS OBISPO MOTHERS)	
FOR PEACE, FRIENDS OF THE)	
EARTH, and ENVIRONMENTAL)	
WORKING GROUP)	
Petitioners,)	
v.)	No. 23-852
)	
UNITED STATES NUCLEAR)	
REGULATORY COMMISSION and the)	
UNITED STATES OF AMERICA)	
Respondents, and)	
)	
PACIFIC GAS & ELECTRIC COMPANY,)	
Intervenor)	

CERTIFIED INDEX TO THE RECORD

I certify to the best of my knowledge and belief that the documents listed on the attached index constitute the record before the agency relating to the NRC’s March 2, 2023, issuance of the exemption that is the subject of the petition for review.

Respectfully Submitted,

s/ _____
BRIAN W. SMITH
Director, Division of New and
Renewed Licenses
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission

June 15, 2023

CERTIFIED INDEX TO RECORD

SAN LUIS OBISPO MOTHERS FOR PEACE, FRIENDS OF THE EARTH, and
ENVIRONMENTAL WORKING GROUP v. U.S. NUCLEAR REGULATORY
COMMISSION and the UNITED STATES OF AMERICA

(No. 23-852)

#	DESCRIPTION	DOCUMENT DATE	FEDERAL REGISTER OR NRC ACCESSION NUMBER*
1	NRC Nuclear Power Plant License Renewal, Proposed Rule	7/17/1990	55 FR 29,043
2	NRC Nuclear Power Plant License Renewal, Final Rule	12/13/1991	56 FR 64,943
3	Environmental Assessment and Finding of No Significant Impact for Exemption to 10 CFR 2.109(b) Timely Renewal Requirement for Amergen, Oyster Creek	12/22/2004	69 FR 76,795
4	Exemption to 10 CFR 2.109(b) Timely Renewal Requirement for Amergen, Oyster Creek	12/29/2004	69 FR 78,054
5	NRC Proposed Rule for Categorical Exclusions for Environmental Review	10/9/2008	73 FR 59,540
6	Letter from PG&E to NRC Applying for Renewal of Facility Operating Licenses DPR-80 and DPR-82	11/23/2009	ML093340086
7	NRC Notice of Acceptance for Docketing	1/21/2010	75 FR 3493
8	NRC Final Rule for Categorical Exclusions for Environmental Review	4/19/2010	75 FR 20,248
9	Letter from PG&E to NRC Requesting Delay of Licensing Decision	4/10/2011	ML111010592
10	NRC Safety Evaluation Report Related to the License Renewal of Diablo Canyon Nuclear Power Plant, Units 1 and 2	6/2/2011	ML11153A103

11	Last Annual Update to Withdrawn LRA in accordance with 10 CFR 54.21(b)	12/21/2015	ML16004A149
12	Letter from PG&E to NRC Requesting Suspension of Review of License Renewal Application	6/21/2016	ML16173A454
13	California Public Utilities Commission Decision Approving Retirement of Diablo Canyon Nuclear Power Plant, Application 16-08-006	1/16/2018	N/A
14	Exemption to Pacific Gas and Electric Company, Diablo Canyon Power Plant Units 1 and 2, Annual Updates to License Renewal Application	8/24/2016	81 FR 57,942
15	Letter from PG&E to NRC Requesting Withdrawal of Diablo Canyon Power Plant License Renewal Application	3/7/2018	ML18066A937
16	NRC Response to Request for Withdrawal of License Renewal Application for Diablo Canyon Power Plant	4/16/2018	ML18093A115
17	Pacific Gas & Electric Company, Diablo Canyon Power Plant Units 1 and 2, Withdrawal of License Renewal Application	4/23/2018	83 FR 17,688
18	Exemption to 10 CFR 2.109(b) Timely Renewal Requirement for Exelon, Clinton Unit 1	7/18/2019	84 FR 34,410
19	Exemption to Pacific Gas & Electric Company, Diablo Canyon Nuclear Power Plant Units 1 and 2	9/17/2019	84 FR 48,955
20	Exemption to 10 CFR 2.109(b) Timely Renewal Requirement for Energy Harbor, Perry Unit 1	7/17/2020	85 FR 43,609
21	Exemption to 10 CFR 2.109(b) Timely Renewal Requirement for Exelon, Nine Mile Point Unit 1	4/19/2021	86 FR 20,417
22	Exemption to 10 CFR 2.109(b) Timely Renewal Requirement for Exelon, Ginna	4/20/2021	86 FR 20,523
23	NRC Generic Milestone Schedules of Requested Activities of the Commission	9/10/2021	N/A

24	Decision by California Public Utilities Commission to Adopt the Settlement Agreement between PG&E and Several Parties	9/10/2021	N/A
25	Exemption to 10 CFR 2.109(b) Timely Renewal Requirement for Constellation Energy, Dresden Units 2 and 3	3/22/2022	87 FR 16,246
26	California Senate Bill No. 846	9/2/2022	N/A
27	California Senate Bill No. 846 Signing Message	9/2/2022	N/A
28	PG&E Letter to NRC Requesting Resumption of Review of Diablo Canyon License Renewal Application or, Alternatively, Timely Renewal Exemption	10/31/2022	ML22304A691
29	Letters from Mothers for Peace, Friends of the Earth, Environmental Working Group Opposing PG&E Request (Consolidated)	11/17/2022 and 12/6/2022	ML22342B239
30	PG&E License Renewal Pre-Submittal Presentation	12/8/2022	ML22339A102
31	Letter from NRC to PG&E Summarizing 12/8/22 Public Meeting	1/6/2023	ML23004A149
32	Petition from San Luis Obispo Mothers for Peace, Friends of the Earth and Environmental Working Group	1/10/23	ML23052A192
33	PG&E Response to 1/10/23 Petition	1/20/2023	ML23052A202
34	NRC Staff Decision to Not Resume Review of Withdrawn License Renewal Application	1/24/2023	ML22343A179
35	NRC Response Letter to San Luis Obispo Mothers for Peace, Environmental Working Group, Committee to Bridge the Gap, and Friends of the Earth	1/31/2023	ML22354A059
36	Letter from Third Way Concerning PG&E's Request for an Exemption from 10 CFR § 2.109(b)	2/1/2023	ML23032A423
37	Letter from Nuclear Energy Institute Supporting PG&E's Exemption from 10 CFR § 2.109(b)	2/13/2023	ML23046A098

38	Letter from San Luis Obispo Mothers for Peace, Friends of the Earth, and Environmental Working Group Opposing PG&E Exemption Request	2/13/2023	ML23046A103
39	Letter from Carbon Free California and Clean Air Task Force in Support of Exemption Request	2/23/2023	ML23066A004
40	Memorandum from NRC Staff to Commission	2/23/2023	ML23046A029
41	PG&E Response to 2/13/23 Letter Opposing Exemption Request	2/28/2023	N/A
42	Diablo Canyon Exemption Issuance Letter	3/2/2023	ML23026A115
43	Diablo Canyon Exemption	3/2/2023	ML23026A109
44	Exemption to 10 CFR 2.109(b) Timely Renewal Requirement for PG&E, Diablo Canyon Power Plant Units 1 and 2	3/8/2023	88 FR 14,395

*Accession Number refers to the document's identifier in the NRC's Agencywide Documents Access and Management System (ADAMS), the official recordkeeping system through which public NRC records can be retrieved in PDF format (<https://www.nrc.gov/reading-rm/adams.html>)