

UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT
FILED
FEB 17 2011
CLERK

FEB 17 2011 UNITED STATES COURT OF APPEALS FOR THE
RECEIVED DISTRICT OF COLUMBIA CIRCUIT

NATURAL RESOURCES DEFENSE
COUNCIL, INC.,

Petitioner,

v.

UNITED STATES NUCLEAR
REGULATORY COMMISSION and the
UNITED STATES OF AMERICA,

Respondents.

No. 11-1051

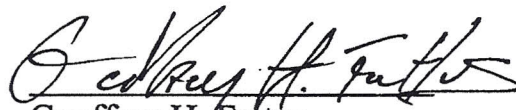
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PETITION FOR REVIEW

Pursuant to 42 U.S.C. § 2239, 28 U.S.C. § 2344, 5 U.S.C. § 702, Fed. R. App. P. 15(a), and D.C. Cir. Rule 15(a), petitioner Natural Resources Defense Council, Inc., through their undersigned counsel, hereby petitions for review of the United States Nuclear Regulatory Commission’s final orders entitled “Waste Confidence Decision Update,” (hereinafter “Waste Confidence Rule”) and the “Consideration of Environmental Impacts of Temporary Storage of Spent Fuel After Cessation of Reactor Operation” (hereinafter “Temporary Storage Rule”). The Waste Confidence and Temporary Storage Rules were published together in the Federal Register, 75 Fed. Reg. 81,032-81,076 (December 23, 2010) and went into effect on January 24, 2011. We believe the Waste Confidence and Temporary Storage Rules violate the National Environmental Policy Act (NEPA), 42 U.S.C. §

4321 et seq., the Administrative Procedure Act (APA), 5 U.S.C. § 501 et seq., and the Atomic Energy Act (AEA), 42 U.S.C. § 2011 et seq. Copies of the Federal Register notices for both rules are attached as Exhibits A and B.

Respectfully submitted,



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Date: February 17, 2011