

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

STATE OF NEVADA, CLARK	)	
COUNTY, NEVADA, and CITY	)	
OF LAS VEGAS, NEVADA,	)	
	)	
Petitioners,	)	
	)	
v.	)	Case No. 02-
	)	
UNITED STATES NUCLEAR	)	
REGULATORY COMMISSION,	)	
	)	
Respondent,	)	
	)	
	)	
	)	
	)	
_____	)	

**PETITION FOR REVIEW**

The State of Nevada, Clark County, Nevada, and the City of Las Vegas, Nevada hereby petition the Court for review of the United States Nuclear Regulatory Commission’s (“NRC”) rule entitled Disposal of High-Level Radioactive Wastes in a Proposed Geologic Repository at Yucca Mountain, Nevada, 10 C.F.R. Part 63 (“Part 63”). Part 63 is a final rule of the NRC, and it was published in the Federal Register, 66 Fed. Reg. 55732-55816, on November 2, 2001. The rule is unlawful and in violation of, *inter alia*, the Nuclear Waste Policy Act of 1982, as amended. 42 U.S.C. §10101, *et seq.* This Court has jurisdiction over this Petition for Review pursuant to Section 119 of the Act, 42 U.S.C. §10139.

WHEREFORE, the State of Nevada, Clark County, Nevada, and the City of Las Vegas, Nevada respectfully requests that the Court, inter alia:

- (1) Grant this Petition for Review;
- (2) Declare that Part 63 is inconsistent with applicable law; and
- (3) Direct the NRC to reissue Part 63 to make it consistent with the NWPA, other applicable laws, and this Court's findings.

Respectfully submitted,

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DATED: April , 2002

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