

**ORAL ARGUMENT NOT YET SCHEDULED****UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

STATE OF NEVADA,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	No. 09-1133
U.S. NUCLEAR REGULATORY COMMISSION,	)	
	)	
Respondent,	)	
	)	
Nuclear Energy Institute,	)	
	)	
Intervenor.	)	
	)	

**PETITIONER STATE OF NEVADA'S STATUS REPORT**

Pursuant to this Court's order of February 11, 2015 (ECF No. 1537129) holding that this case remains in abeyance, petitioner State of Nevada files this status report. In this case, Nevada challenges the Nuclear Regulatory Commission's final rule on dose standards for the proposed Yucca Mountain radioactive material repository.<sup>1</sup>

---

<sup>1</sup> The Court entered a virtually identical order the same day in *Nevada v. EPA* (No. 08-1327), the pending companion litigation in which Nevada challenges the Environmental Protection Agency's final rule on public health and safety standards for radioactive material stored or disposed of in the proposed Yucca Mountain repository. The Court likewise ordered that case to remain in abeyance. The February 11, 2015 orders followed joint motions of the parties to continue the

Nevada reports that there has been no significant change in status since the Court ordered the case to remain in abeyance. The Department of Energy's license application remains pending before the Commission. As previously reported, substantial uncertainties still remain as to the content and timing of the license application process, including whether and when the adjudicatory portion of the license proceeding will re-commence. Nevada will continue to file status reports, and file its next motion to govern further proceedings, as directed in the Court's February 11, 2015 order.

May 12, 2015

/s/ Roger B. Moore  
ROGER B. MOORE  
Rossmann and Moore, LLP  
2014 Shattuck Avenue  
Berkeley, CA 94704  
rbm@landwater.com  
Tel.: (510) 548-1401

Counsel for Petitioner State of Nevada

---

abeyance. The orders in both cases instruct Nevada to continue filing status reports at 90-day intervals beginning May 12, 2015, and direct the parties to file motions to govern further proceedings on or before February 12, 2016.

**CERTIFICATE OF SERVICE**

I hereby certify that on the date below a copy of the foregoing status report was filed electronically with the Clerk and served upon all counsel of record in the case and is available through the court's CM/ECF System.

Dated: May 12, 2015

/s/ Roger B. Moore

ROGER B. MOORE

Counsel for Petitioner State of Nevada