

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, et al.,

Plaintiffs,

- v -

UNITED STATES OF AMERICA, et al.,

Defendants.

ORDER

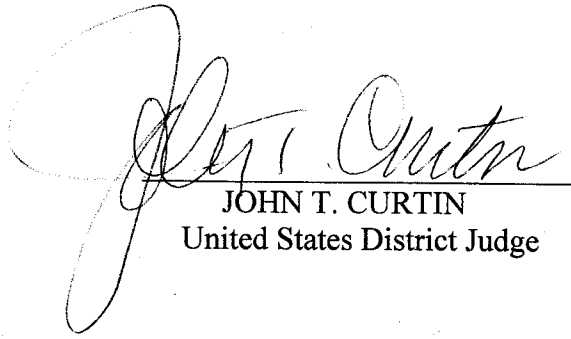
No. 06-CV-810

A hearing on the pending motions of the State of New York and the United States requesting approval of the proposed Consent Decree having been held on August 17, 2010 at 10:30 a.m. at the United States Courthouse, 68 Court Street, Buffalo, New York, and counsel for the Plaintiffs and Counsel for the Defendants having presented legal argument in support of the proposed Consent Decree, and due consideration having been given, the motions are hereby granted and the Consent Decree is approved and entered.

In response to a public comment requesting clarification of certain language in the Consent Decree, the parties have agreed that in each instance where the phrase “in accordance with such requirements as the [Nuclear Regulatory] Commission may prescribe” (a phrase from the West Valley Demonstration Act) appears in the Consent Decree, that phrase shall be interpreted as including the following language: “as provided in the West Valley Demonstration Project Act.”

The Court will hold a conference, on a date to be determined by the Court, regarding a scheduling order to address of the remaining cause of action.

SO ORDERED



JOHN T. CURTIN
United States District Judge

Dated:

August 19, 2010