

FEB 19 2010

In The

FILED

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RECEIVED United States Court of Appeals
For The District of Columbia Circuit **CLERK**

AIKEN COUNTY, 10-1050

Petitioner,

v.

STEVEN CHU, Secretary of the Department of Energy, in his Official Capacity; UNITED STATES DEPARTMENT OF ENERGY; GREGORY B. JACZKO, Chairman of the Nuclear Regulatory Commission, in his Official Capacity; UNITED STATES NUCLEAR REGULATORY COMMISSION; THOMAS MOORE, PAUL RYERSON and RICHARD WARDWELL, UNITED STATES NUCLEAR REGULATORY COMMISSION ATOMIC SAFETY AND LICENSING BOARD JUDGES, in their official Capacity; and the NRC ATOMIC SAFETY AND LICENSING BOARD,

Respondents.

IN RE: AIKEN COUNTY, PETITIONER

**PETITION FOR DECLARATORY AND
INJUNCTIVE RELIEF AND WRIT OF MANDAMUS**

Thomas R. Gottshall (D.S.C. No. 2406)
Alexander G. Shissias (D.S.C. No. 6881)
HAYNSWORTH SINKLER BOYD, P.A.
Post Office Box 11889
Columbia, South Carolina 29211
(803) 779-3080

Counsel for Petitioner