

March 16, 2005

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE PRE-LICENSE APPLICATION PRESIDING OFFICER BOARD

In the Matter of	)	Docket No. PAPO-00
	)	
U.S. DEPARTMENT OF ENERGY	)	ASLBP No. 04-829-01-PAPO
	)	
(High Level Waste Repository: Pre-Application Matters)	)	NEV-01
	)	

**THE DEPARTMENT OF ENERGY'S, THE STATE OF NEVADA'S AND NRC STAFF'S  
THIRD INTERIM REPORT RE FIRST CASE MANAGEMENT ORDER**

Pursuant to the First Case Management Order, counsel for the United States Department of Energy (DOE), the State of Nevada (State), and the Nuclear Regulatory Commission Staff (NRC Staff) have developed a draft joint order regarding privilege logs and procedures for challenges to privilege claims. DOE, the State and the NRC Staff are to submit any such joint order to the PAPO Board on March 28, 2005. While DOE, the State and the NRC Staff are still reviewing the draft, they are making the draft order available on their respective websites:

for NRC: <http://www.nrc.gov/waste/hlw-disposal.html>  
for DOE: <http://www.ocrwm.doe.gov/ymp/la/prelicensecasemgmt.shtml>  
for the State: <http://www.state.nv.us/nucwaste/whatsnew.htm>

Persons who wish to submit comments for DOE's, the State's and the NRC Staff's consideration should submit them to one of DOE's outside counsel, Michael Shebelskie, at [mshebelskie@hunton.com](mailto:mshebelskie@hunton.com). Comments should be submitted by March 25, 2005 for timely consideration. Interested persons also should advise through the same means whether they wish to join DOE's, the State's and the NRC Staff's joint submittal.

**Respectfully submitted,**

**U.S. DEPARTMENT OF ENERGY**

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THIRD INTERIM REPORT RE FIRST CASE MANAGEMENT ORDER  
CERTIFICATE OF SERVICE

I certify that copies of the foregoing THE DEPARTMENT OF ENERGY'S, THE STATE OF NEVADA'S AND NRC STAFF'S THIRD INTERIM REPORT RE FIRST CASE MANAGEMENT ORDER have been served upon the following persons by electronic mail and/or Electronic Information Exchange as denoted by an asterisk (\*).

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