

May 12, 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
	)	

**DEPARTMENT OF ENERGY'S MEMORANDUM IN RESPONSE TO
MAY 11, 2005 MEMORANDUM AND ORDER REGARDING SECOND CASE
MANAGEMENT CONFERENCE and AFFIDAVIT OF JULIE A. GOECKNER
CERTIFICATE OF SERVICE**

I certify that copies of the foregoing DEPARTMENT OF ENERGY'S MEMORANDUM IN RESPONSE TO MAY 11, 2005 MEMORANDUM AND ORDER REGARDING SECOND CASE MANAGEMENT CONFERENCE and AFFIDAVIT OF JULIE A. GOECKNER has been served upon the following persons by electronic mail and/or Electronic Information Exchange as denoted by an asterisk (*).

U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
Washington, DC 20555-0001
Thomas S. Moore, Chair*
Administrative Judge
E-mail: PAPO@nrc.gov
Alex S. Karlin*
Administrative Judge
E-mail: PAPO@nrc.gov
Alan S. Rosenthal*
Administrative Judge
E-mail: PAPO@nrc.gov & rsnthl@comcast.net
G. Paul Bollwerk, III*
Administrative Judge
E-mail: PAPO@nrc.gov
Anthony C. Eitheim, Esq.*
Chief Counsel
E-mail: PAPO@nrc.gov
James M. Cutchin*
E-mail: PAPO@nrc.gov
Bethany L. Engel*
E-mail: PAPO@nrc.gov

Amy C. Roma, Esq.*
E-mail: PAPO@nrc.gov
Jonathan Rund*
E-mail: PAPO@nrc.gov
Susan Stevenson-Popp*
E-mail: PAPO@nrc.gov
Christopher M. Wachter*
E-mail: PAPO@nrc.gov
Daniel J. Graser*
LSN Administrator
E-mail: djg2@nrc.gov
ASLBP HLW Adjudication
E-mail: ASLBP_HLW_Adjudication@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Mail Stop - O-16 C1
Washington, DC 20555-0001
Hearing Docket*
E-mail: hearingdocket@nrc.gov
Andrew L. Bates*
E-mail: alb@nrc.gov

Adria T. Byrdsong*
E-mail: atb1@nrc.gov

Emile L. Julian, Esq.*
E-mail: els@nrc.gov
Evangeline S. Ngbea*
E-mail: esn@nrc.gov

**U.S. Nuclear Regulatory Commission
Office of the General Counsel**
Mail Stop - O-15 D21
Washington, DC 20555-0001
Karen D. Cyr, Esq.
General Counsel
E-mail: kdc@nrc.gov
Shelly D. Cole, Esq.*
E-mail: sdc1@nrc.gov
David A. Cummings, Esq.*
E-mail: dac3@nrc.gov
Gwendolyn D. Hawkins*
E-mail: gxh2@nrc.gov
Janice E. Moore, Esq.*
E-mail: jem@nrc.gov
Trip Rothschild, Esq.
E-mail: tbr@nrc.gov
Tyson R. Smith, Esq.*
E-mail: trs1@nrc.gov
Mitzi A. Young, Esq.*
E-mail: may@nrc.gov
Marian L. Zabler, Esq.*
E-mail: mlz@nrc.gov
OGCMailCenter*
E-mail: OGCMailCenter@nrc.gov

**Hunton & Williams LLP
Counsel for the U.S. Department of Energy**
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219
W. Jeffery Edwards, Esq.*
E-mail: jedwards@hunton.com
Kelly L. Faglioni, Esq.*
E-mail: kfaglioni@hunton.com
Melissa Grier*
E-mail: mgrier@hunton.com
Donald P. Irwin, Esq.*
E-mail: dirwin@hunton.com
Stephanie Meharg*
E-mail: smeharg@hunton.com
Edward P. Noonan, Esq.*
E-mail: enoonan@hunton.com
Audrey B. Rusteau*
E-mail: arusteau@hunton.com
Michael R. Shebelskie, Esq.*
E-mail: mshebelskie@hunton.com

Christopher A. Updike*
E-mail: cupdike@hunton.com
Belinda A. Wright*
E-mail: bwright@hunton.com

**Egan, Fitzpatrick, Malsch & Cynkar, PLLC
Counsel for the State of Nevada**
The American Center at Tysons Corner
8300 Boone Boulevard, Suite 340
Vienna, VA 22182
Robert J. Cynkar, Esq.*
E-mail: rcynkar@nuclearlawyer.com
Joseph R. Egan, Esq.*
E-mail: eganpc@aol.com
Charles J. Fitzpatrick, Esq.*
E-mail: cfitzpatrick@nuclearlawyer.com
Jack Kewley*
E-mail: jkewley@nuclearlawyer.com
Martin G. Malsch, Esq.*
E-mail: mmalsch@nuclearlawyer.com
Susan Montesi*
E-mail: smontesi@nuclearlawyer.com
Nakita Toliver*
E-mail: ntoliver@nuclearlawyer.com

**U.S. Department of Energy
Office of General Counsel**
1000 Independence Avenue, S.W.
Washington, DC 20585
Martha S. Crosland*
E-mail: martha.crosland@hq.doe.gov

**U.S. Department of Energy
Office of Civilian Radioactive Waste Mgmt
Office of Repository Development**
1551 Hillshire Drive
Las Vegas, NV 89134-6321
W. John Arthur, III, Deputy Director
E-mail: john_arthur@notes.ymp.gov

**U.S. Department of Energy
Office of Civilian Radioactive Waste Mgmt
Office of Information Mgmt**
Mail Stop 523, P.O. Box 30307
North Las Vegas, NV 89036-0307
Harry Leake
E-mail: harry_leake@ymp.gov;
Mark Van Der Puy
E-mail: mark_vanderpuy@ymp.gov

**U.S. Department of Energy
Office of General Counsel**
1551 Hillshire Drive
Las Vegas, NV 89134-6321
George W. Hellstrom
E-mail: george.hellstrom@ymp.gov

**Yucca Mountain Project, Licensing Group,
DOE/BSC**

Jeffrey Kriner*

E-mail: jeffrey_kriner@ymp.gov

Nuclear Waste Project Office

1761 East College Parkway, Suite 118

Carson City, NV 89706

Steve Frishman, Tech. Policy Coordinator

E-mail: ssteve@nuc.state.nv.us

Nuclear Waste Technical Review Board

Victoria Reich

E-mail: reich@nwtb.gov

Nevada Nuclear Waste Task Force

Alamo Plaza, 4550 W. Oakley Blvd., Suite 111

Las Vegas, NV 89102

Judy Treichel, Executive Director

E-mail: judynwtf@aol.com

State of Nevada (NV)

100 N. Carson Street

Carson City, NV 89710

Marta Adams

E-mail: madams@govmail.state.nv.us

Churchill County (NV)

155 North Taylor Street, Suite 182

Fallon, NV 89406

Alan Kall

E-mail: comptroller@churchillcounty.org

Clark County (NV) Nuclear Waste Division

500 S. Grand Central Parkway

Las Vegas, NV 89155

Irene Navis

E-mail: iln@co.clark.nv.us

Engelbrecht von Tiesenhausen

E-mail: evt@co.clark.nv.us

Eureka County (NV) Yucca Mtn Info Ofc

P.O. Box 990

Eureka, NV 89316

Laurel Marshall, Program Coordinator

E-mail: ecmarsall@eurekanv.org

Lincoln County (NV) Nuclear Oversight Prgm

100 Depot Ave., Suite 15; P.O. Box 1068

Caliente, NV 89008-1068

Lea Rasura-Alfano, Coordinator

E-mail: jcciac@co.lincoln.nv.us

**Intertech Services Corporation
(for Lincoln County)**

P.O. Box 2008

Carson City, NV 89702-2008

Dr. Mike Baughman

E-mail: bigboff@aol.com

**Mineral County (NV) Board of County
Commissioners**

P.O. Box 1600

Hawthorne, NV 89415

Linda Mathias, Administrator

Office of Nuclear Projects

E-mail: mineral@oem.hawthorne.nv.us

**Nye County (NV) Department of Natural
Resources & Federal Facilities**

1210 E. Basin Road, Suite 6

Pahrump, NV 89048

Les Bradshaw

E-mail: clittle@co.nye.nv.us

Nye County (NV) Regulatory/Licensing Adv.

18150 Cottonwood Rd. #265

Sunriver, OR 97707

Malachy Murphy

E-mail: mrmurphy@cmc.net

**White Pine County (NV) Nuclear
Waste Project Office**

959 Campton Street

Ely, NV 89301

Mike Simon, Director

(Heidi Williams, Adm. Assist.)

E-mail: wpnucwstl@mwpower.net

**Inyo County (CA) Yucca Mtn Nuclear Waste
Repository Assessment Office**

P.O. Drawer L

Independence, CA 93526

Andrew Remus, Project Coordinator

E-mail: aremus@gnet.com

Abby Johnson

617 Terrace St.

Carson City, NV 89703

E-mail: abbyj@gbis.com

National Congress of American Indians

1301 Connecticut Ave. NW - Second floor

Washington, DC 20036

Robert I. Holden, Director

Nuclear Waste Program

E-mail: robert_holden@ncai.org

Public Citizen
215 Pennsylvania Ave, SE
Washington, DC 20003
Michele Boyd, Legislative Representative*
Critical Mass Energy and Environment
E-mail: mboyd@citizen.org

Public Citizen Litigation Group
1600 20th Street, NW
Washington, DC 20009
Brian Wolfman, Esq.
E-mail: bwolfman@citizen.org

Ross, Dixon & Bell
2001 K Street N.W.
Washington D.C. 20006-1040
William H. Briggs
E-mail: wbriggs@rdblawn.com

Environment Protection Agency
Ray Clark
E-mail: clark.ray@epa.gov

Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708
Michael A. Bauser, Esq.*
Associate General Counsel
E-mail: mab@nei.org

Robert W. Bishop, Esq.
E-mail: rwb@nei.org
Ellen C. Ginsberg, Esq.*
E-mail: ecg@nei.org
Rod McCullum
E-mail: rxm@nei.org
Steven P. Kraft
E-mail: spk@nei.org

White Pine County
City of Caliente
Lincoln County
Jason Pitts
E-mail: idt@idtservices.com

U.S. DEPARTMENT OF ENERGY

By Michael R. Shebelskie

Donald P. Irwin
Michael R. Shebelskie
Kelly L. Faglioni
HUNTON & WILLIAMS LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, Virginia 23219-4074
Telephone: (804) 788-8200
Facsimile: (804) 788-8218
Email: dirwin@hunton.com

Of Counsel:

Martha S. Crosland
U.S. DEPARTMENT OF ENERGY
Office of General Counsel
Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585