

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED 06/07/05

Before Administrative Judges:

SERVED 06/07/05

Thomas S. Moore, Chairman
Alex S. Karlin
Alan S. Rosenthal

In the Matter of

U.S. DEPARTMENT OF ENERGY

(High Level Waste Repository:
Pre-Application Matters)

Docket No. PAPO-00
ASLBP No. 04-829-01-PAPO
June 7, 2005

ORDER

On May 26, 2005, the State of Nevada (State) filed a notice of withdrawal of its earlier May 16, 2005 motion seeking a show cause order against the NRC Staff. To ensure that there can be no possible misunderstanding as to the status of the State's show cause motion, we will treat the State's May 26 notice as a motion to withdraw the May 16 motion. The State's motion is granted.

It is so ORDERED.

For the Pre-license Application
Presiding Officer Board

/RA/

Thomas S. Moore, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland

June 7, 2005

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (GRANTING AND TREATING THE STATE OF NEVADA'S MAY 26 NOTICE AS A MOTION TO WITHDRAW THE MAY16 MOTION) have 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. Eitrem, 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
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
Rebecca L. Giitter*
E-mail: rl@nrc.gov

U.S. Nuclear Regulatory Commission
Office of Congressional Affairs
Mail Stop -O-17A3
Thomas R. Combs*
E-mail: trc@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: sd1@nrc.gov
David A. Cummings, Esq.*
E-mail: dac3@nrc.gov

LB ORDER (GRANTING AND TREATING -2-
THE STATE OF NEVADA'S MAY 26 NOTICE
AS A MOTION TO WITHDRAW THE MAY16 MOTION)

Gwendolyn D. Hawkins*

E-mail: gqh2@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

Harry E. Wedewer, Esq.*

Email: hew@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@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

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

LB ORDER (GRANTING AND TREATING -3-
THE STATE OF NEVADA'S MAY 26 NOTICE
AS A MOTION TO WITHDRAW THE MAY16 MOTION)

State of Nevada (NV)

100 N. Carson Street
Carson City, NV 89710

Marta Adams

E-mail: maadams@ag.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: ecmarshall@eurekanv.org

**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) Regulatory/Licensing Adv.

18160 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: wpnucwst1@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

Ross, Dixon & Bell

2001 K Street N.W.
Washington D.C. 20006-1040

William H. Briggs

E-mail: wbriggs@rdblaw.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

LB ORDER (GRANTING AND TREATING -4-
THE STATE OF NEVADA'S MAY 26 NOTICE
AS A MOTION TO WITHDRAW THE MAY16 MOTION)

White Pine County

City of Caliente

Lincoln County

Jason Pitts*

E-mail: idt@idtservices.com

**U.S. Nuclear Regulatory Commission
Office of Nuclear Material Safety and
Safeguards**

Mail Stop - T-7 F3

Washington, DC 20555-0001

Jeffrey A. Ciocco*

E-mail: jac3@nrc.gov

**Lander County Nuclear Waste Oversight
Program**

315 South Humboldt St.

Battle Mountain, NV 89820

Deborah Teske*, Administrator

E-mail: dteske@landercounty.com

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

1210 E. Basin Road, Suite 6

Pahrump, NV 89048

David Swanson

E-mail: dswanson@nyecounty.net

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

Lander, Churchill and Mineral County's

3888 Snow Valley Dr.

Reno, NV 89506

Loreen Pitchford*, * LNS Administrator for
Lander

Email: qb4@charter.net

Talisman International, LLC

Patricia Larimore*

1000 Potomac St., NW

Suite 300

Washington, D.C. 20007

E-mail: plarimore@talisman-intl.com

**U.S. Nuclear Regulatory Commission
Office of Public Affairs**

Mail Stop - O-2A13

Sue F. Gagner*

E-mail: sfg@nrc.gov

Nuclear Waste Technical Review Board

Victoria Reich

E-mail: reich@nwtrb.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

Robert Loux, Executive Director*

Email: bloux@nuc.state.nv.us

[Original signed by Rebecca L. Giitter]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 7th day of June 2005