

October 14, 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) |) | |

**DEPARTMENT OF ENERGY'S NOTICE REGARDING MATERIALS PROVIDED AT
CASE MANAGEMENT CONFERENCE**

On October 13, 2005, the Pre-License Application Presiding Officer Board held a Case Management Conference regarding the Board's questions contained in a Memorandum and Order issued September 19, 2005. The Department of Energy (DOE) provided the Board and the other parties in attendance at the Case Management Conference a compilation of publicly available documents. A list of those documents is attached at Exhibit 1. DOE also provided the Board a copy of NAVSEAINST 5511.32C, which has been designated by the Naval Nuclear Propulsion Program as protected Naval Nuclear Propulsion Information that is not publicly available.

Respectfully submitted,

U.S. DEPARTMENT OF ENERGY

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| Materials Provided by DOE at Case Management Conference October 13, 2005 | | |
|---|---|--|
| Federal Statutes | | |
| 1 | 10 USC 130 | |
| 2 | 42 USC 2167 | |
| 3 | 42 USC 2168 | |
| 4 | 42 USC 2231 | |
| 5 | 42 USC 2273 | |
| 6 | 42 USC 2282 | |
| 7 | 42 USC 7158 | |
| 8 | 50 USC 2406 | |
| Federal Regulations | | |
| 1 | 10 CFR § 2.1001, 10 CFR § 2.1003, 10 CFR § 2.1010 | |
| 2 | 10 CFR § 2.709(f) | |
| 3 | 10 CFR Part 73 | |
| 4 | 10 CFR Part 810 | |
| 5 | 10 CFR Part 1017 | |
| 6 | 15 CFR Part 744 | |
| 7 | 15 CFR Part 764 | |
| 8 | 22 CFR Part 120 | |
| 9 | 32 CFR Part 250 | |
| DOE Orders and Manuals | | |
| 1 | DOE Order 471.1A and Manual 47.1-1 Identification of Unclassified Controlled Nuclear Information Manual | |
| 2 | DOE Order 471.2A | |
| 3 | DOE Order 471.3 and Manual 471.3-1 Manual for Identifying and Protecting Official Use Only Information | |
| 4 | DOE G 471.3-1: Guide to Identifying Official Use Only Information | |
| Other | | |
| 1 | Executive Order 12344 | |
| 2 | White House Homeland Security Memorandum (2002) | |
| 3 | Attorney General FOIA Memorandum (2001) | |

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| (High-Level Waste Repository: |) | |
| Pre-Application Matter) |) | |

DEPARTMENT OF ENERGY'S NOTICE REGARDING MATERIALS
PROVIDED AT CASE MANAGEMENT CONFERENCE
CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing DEPARTMENT OF ENERGY'S NOTICE REGARDING MATERIALS PROVIDED AT CASE MANAGEMENT CONFERENCE in the above captioned proceeding have been served on the following persons this 14th day of October, 2005 by Electronic Information Exchange.

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