

December 29, 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)	)	NRC-02

NRC STAFF MOTION FOR EXTENSION OF TIME TO FILE  
LICENSING SUPPORT NETWORK SUPPLEMENTATION CERTIFICATION

I. INTRODUCTION

Pursuant to the order of the Pre-License Application Presiding Officer (PAPO) Board, the NRC Staff is required to supplement its collection of documents on the Licensing Support Network (LSN) on a monthly basis. See Second Case Management Order (Pre-License Application Phase Document Discovery and Dispute Resolution), dated July 8, 2005 (July 8 Order), at 21-22. The Staff's next supplement is due January 3, 2006. In accordance with 10 C.F.R. §§ 2.307 and 2.323, the NRC Staff moves for an extension of the January 3, 2006, LSN supplementation certification deadline. The grounds for its motion are set forth below.

II. DISCUSSION

NRC Staff counsel has been advised by Staff information technology support personnel of the following: (1) in accordance with the PAPO Board's July 8 Order, the NRC Staff made approximately 40 documents available to the Licensing Support Network Administrator (LSNA) on December 19, 2005, in support of the NRC Staff's upcoming supplementation certification; (2) to date, the documents made available to the LSNA on December 19, 2005, have not been spidered because they are last in the queue of the approximately 26,290 documents in the NRC

collection that are currently being re-spidered by the LSNA's software because of a recent upgrade of the NRC Staff's web publishing software that allows for more efficient revisions to bibliographic headers if revisions become necessary; (3) the publishing software upgrade does not modify the text of the header or its referenced document; (4) because the software upgrade embeds a new file date-time stamp in the bibliographic header that is transparent to other than web publishing and LSN-spidering software, a re-spidering of the NRC Staff's entire document collection is required; (5) the re-spidering process was commenced by the LSNA on December 21, 2005, but was interrupted on December 24, 2005, due to an error in the transmission control protocol software of the NRC Staff; (6) the re-spidering process resumed on December 27, 2005, and is presently ongoing, but, all spidering may not be complete in time for the NRC Staff's supplementation certification deadline of January 3, 2006; (7) the approximately 40 documents for the January 3, 2006, supplementation cannot be prioritized at the front of the document queue; and (8) provided there are no further software communication errors or other problems, it is estimated that the spidering process could be completed during the week of January 3, 2006.

### III. CONCLUSION

In light of the foregoing, NRC Staff counsel submits that good cause exists to grant an extension of the NRC Staff's supplementation certification due January 3, 2006, until the next business day, after, the aforementioned spidering process is complete.

Pursuant to 10 C.F.R. § 2.323(b), Staff counsel has contacted counsel for the State of Nevada, Department of Energy and Nuclear Energy Institute who do not object to this motion.

Respectfully submitted,

**/RA/**

Harry E. Wedewer  
Counsel for the NRC Staff

Dated at Rockville, Maryland  
this 29th day of December 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) NRC-02

CERTIFICATE OF SERVICE

I hereby certify that copies of the "NRC STAFF MOTION FOR EXTENSION OF TIME TO FILE LICENSING SUPPORT NETWORK SUPPLEMENTATION CERTIFICATION" in the above captioned proceeding have been served on the following persons this 29th day of December, 2005 by Electronic Information Exchange:

Thomas S. Moore, Chair  
Administrative Judge  
U.S. Nuclear Regulatory Commission  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3 F23  
Washington, D.C. 20555  
E-mail: [papo@nrc.gov](mailto:papo@nrc.gov)

Alex S. Karlin  
Administrative Judge  
U.S. Nuclear Regulatory Commission  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3 F23  
Washington, D.C. 20555  
E-mail: [papo@nrc.gov](mailto:papo@nrc.gov)

Alan S. Rosenthal  
Administrative Judge  
U.S. Nuclear Regulatory Commission  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3 F23  
Washington, D.C. 20555  
E-mail: [papo@nrc.gov](mailto:papo@nrc.gov)  
[rsnthl@comcast.net](mailto:rsnthl@comcast.net)

G. Paul Bollwerk, III  
Administrative Judge  
U.S. Nuclear Regulatory Commission  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3 F23  
Washington, D.C. 20555  
E-mail: [papo@nrc.gov](mailto:papo@nrc.gov)  
[gpb@nrc.gov](mailto:gpb@nrc.gov)

Office of the Secretary  
ATTN: Rulemakings and Adjudication Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop: O-16 C1  
Washington, D.C. 20555  
E-mail: [HEARINGDOCKET@nrc.gov](mailto:HEARINGDOCKET@nrc.gov)

Donald P. Irwin, Esq.  
Kelly L. Faglioni, Esq.  
Edward P. Noonan, Esq.  
W. Jeffery Edwards, Esq.  
Michael R. Shebelskie, Esq.  
Melissa Grier  
Stephanie Meharg  
Audrey B. Rusteau  
Belinda A. Wright  
Christopher A. Updike  
Hunton & Williams, LLP  
951 East Byrd Street  
Richmond, VA 23219  
E-mail: [dirwin@hunton.com](mailto:dirwin@hunton.com)  
[kfaglioni@hunton.com](mailto:kfaglioni@hunton.com)  
[enoonan@hunton.com](mailto:enoonan@hunton.com)  
[arusteau@hunton.com](mailto:arusteau@hunton.com)  
[jedwards@hunton.com](mailto:jedwards@hunton.com)  
[mgrier@hunton.com](mailto:mgrier@hunton.com)  
[smeharg@hunton.com](mailto:smeharg@hunton.com)  
[bwright@hunton.com](mailto:bwright@hunton.com)  
[cupdike@hunton.com](mailto:cupdike@hunton.com)  
[mshebelskie@hunton.com](mailto:mshebelskie@hunton.com)

Michael A. Bauser, Esq.  
Associate General Counsel  
Ellen C. Ginsberg, Esq.  
Nuclear Energy Institute  
1776 I Street, NW, Suite 400  
Washington, D.C. 20006-3708  
E-mail: [mab@nei.org](mailto:mab@nei.org)  
[ecg@nei.org](mailto:ecg@nei.org)

Thomas R. Combs  
U.S. Nuclear Regulatory Commission  
Office of Congressional Affairs  
Mail Stop: O-17 A3  
Washington, D.C. 20555  
E-mail: [trc@nrc.gov](mailto:trc@nrc.gov)

Jason Pitts  
White Pine County  
City of Caliente  
Lincoln County  
E-mail: [idt@idtservices.com](mailto:idt@idtservices.com)

Atomic Safety and Licensing Board Panel  
(ASLBP) HLW Adjudication  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3 F23  
Washington, D.C. 20555  
E-mail:  
[ASLBP\\_HLW\\_Adjudication@nrc.gov](mailto:ASLBP_HLW_Adjudication@nrc.gov)

Michele Boyd  
Legislative Representative  
Critical Mass Energy and Environment  
Public Citizen  
215 Pennsylvania Ave., SE  
Washington, D.C. 20003  
E-mail: [mboyd@citizen.org](mailto:mboyd@citizen.org)

Joseph R. Egan, Esq.  
Martin G. Malsch, Esq.  
Charles J. Fitzpatrick, Esq.  
Robert J. Cynkar, Esq.  
Jack Kewley  
Susan Montesi  
Nakita Toliver  
Egan, Fitzpatrick, Malsch & Cynkar, PLLC  
8300 Boone Blvd., Suite 340  
Vienna, VA 22182  
E-mail: [eganpc@aol.com](mailto:eganpc@aol.com)  
[mmalsch@nuclearlawyer.com](mailto:mmalsch@nuclearlawyer.com)  
[rcynkar@nuclearlawyer.com](mailto:rcynkar@nuclearlawyer.com)  
[cfitzpatrick@nuclearlawyer.com](mailto:cfitzpatrick@nuclearlawyer.com)  
[jkewley@nuclearlawyer.com](mailto:jkewley@nuclearlawyer.com)  
[smontesi@nuclearlawyer.com](mailto:smontesi@nuclearlawyer.com)  
[ntoliver@nuclearlawyer.com](mailto:ntoliver@nuclearlawyer.com)

Bethany L. Engel  
James M. Cutchin  
Jonathan Rund  
Susan Stevenson-Popp  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3 F23  
Washington, D.C. 20555  
E-mail: [papo@nrc.gov](mailto:papo@nrc.gov)

Andrew L. Bates  
Adria T. Byrdsong  
Rebecca L. Giitter  
Emile L. Julian, Esq.  
Evangeline S. Ngbea  
Office of the Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Mail Stop: O-16 C1  
Washington, D.C. 20555  
E-mail: [alb@nrc.gov](mailto:alb@nrc.gov)  
[atb1@nrc.gov](mailto:atb1@nrc.gov)  
[rlj@nrc.gov](mailto:rlj@nrc.gov)  
[elj@nrc.gov](mailto:elj@nrc.gov)  
[esn@nrc.gov](mailto:esn@nrc.gov)

Martha S. Crosland, Esq.  
Angela Kordyak, Esq.  
U.S. Department of Energy  
Office of the General Counsel  
1000 Independence Ave., SW  
Washington, D.C. 20585  
E-mail: [martha.crosland@hq.doe.gov](mailto:martha.crosland@hq.doe.gov)  
[angela.kordyak@hq.doe.gov](mailto:angela.kordyak@hq.doe.gov)

William Greene  
Public Information Officer  
U.S. Department of Energy  
1000 Independence Ave., SW  
Washington, D.C. 20585  
E-mail: [william.greene@hq.doe.gov](mailto:william.greene@hq.doe.gov)

Anthony C. Eitreim, Esq.  
Chief Counsel  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3 F23  
Washington, D.C. 20555  
E-mail: [papo@nrc.gov](mailto:papo@nrc.gov)  
[ace1@nrc.gov](mailto:ace1@nrc.gov)

Daniel J. Graser  
Licensing and Support Network  
Administrator  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3 F23  
Washington, D.C. 20555  
E-mail: [djq2@nrc.gov](mailto:djq2@nrc.gov)

Robert Loux  
Steve Frishman, Tech. Policy Coordinator  
Nuclear Waste Project Office  
1761 East College Parkway, Suite 118  
Carson City, NV 89706  
E-mail: [bloux@nuc.state.nv.us](mailto:bloux@nuc.state.nv.us)  
[steve.frishman@gmail.com](mailto:steve.frishman@gmail.com)

Engelbrecht von Tiesenhausen  
Clark County Nuclear Waste Division  
500 S. Grand Central Parkway  
Las Vegas, NV 89155  
E-mail: [evt@co.clark.nv.us](mailto:evt@co.clark.nv.us)

Judy Treichel  
Executive Director  
Nevada Nuclear Waste Task Force  
Alamo Plaza, 4550 W. Oakley Blvd.,  
Suite 111  
Las Vegas, NV 89102  
E-mail: [judynwtf@aol.com](mailto:judynwtf@aol.com)

George W. Hellstrom, Esq.  
U.S. Department of Energy  
Office of the General Counsel  
1551 Hillshire Drive  
Las Vegas, NV 89134-6321  
E-mail: [george.hellstrom@ymp.gov](mailto:george.hellstrom@ymp.gov)

Deborah Teske  
Lander County Nuclear Waste Oversight  
Program  
315 Humboldt Street  
Battle Mountain, NV 89820  
E-mail: [dteske@landercounty.org](mailto:dteske@landercounty.org)

Patricia Larimore  
Talisman International, LLC  
1000 Potomac Street, NW, Suite 300  
Washington, D.C. 20007  
E-mail: [plarimore@talisman-intl.com](mailto:plarimore@talisman-intl.com)

Loreen Pitchford Consulting  
LSN Administrator for Lander, Mineral and  
Churchill Counties  
P.O. Box 33908  
Reno, NV 89533  
E-mail: [lpitchford@comcast.net](mailto:lpitchford@comcast.net)

Chris Howard  
GIS/LAN Administrator  
Inyo County  
163 May Street  
Bishop, CA 93514  
E-mail: [choward@inyowater.org](mailto:choward@inyowater.org)

Senator Harry Reid  
Attn: Sandra Schubert  
Room 528 Hart Senate Office Building  
United States Senate  
Washington, D.C. 20510-2803  
E-mail: [Sandra\\_Schubert@reid.senate.gov](mailto:Sandra_Schubert@reid.senate.gov)

Jeffrey Kriner  
Yucca Mountain Project, Licensing Group  
DOE/BSC  
E-mail: [jeffrey\\_kriner@ymp.gov](mailto:jeffrey_kriner@ymp.gov)

**/RA/**

---

Harry E. Wedewer  
Counsel for the NRC Staff