

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

DOCKETED 02/09/2006

SERVED 02/09/2006

Before Administrative Judges:

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
February 9, 2006

ORDER
(Suspending Monthly Supplementation Requirement)

Pursuant to Part VI. A. of the July 8, 2005 Second Case Management Order, each potential party, after initially certifying its Licensing Support Network (LSN) document collection in accordance with 10 C.F.R. § 2.1009(b), is required to supplement its document collection by the first of each month and to certify that it has done so to the Pre-License Application Presiding Officer (PAPO) Board. Because of the asserted inability of the Department of Energy [DOE] to estimate realistically when it will certify its LSN document collection,¹ the document supplementation requirement of Part VI. A. of the Second Case Management Order is suspended until further order.² All other provisions of the Second Case Management Order remain in effect.

Further, in the event the LSN Administrator wishes to bring any matter concerning the

¹See [DOE's] Sixth Monthly Status Report Regarding LSN Certification and License Application Submittal (Nov. 1, 2005) at 1.

²As the language of Part VI. A. of the Second Case Management Order indicates, the certification requirement only arises if the document collection has been supplemented in any month.

LSN to the attention of the PAPO Board, he shall do so by filing a written memorandum addressed to the members of the PAPO Board and served via the agency's electronic information exchange (EIE). Any potential party desiring to raise a matter involving the LSN shall do so by filing and serving a written motion via the EIE. See 69 Fed. Reg. 42,465 (July 15, 2004).

It is so ORDERED.

For the Pre-License Application
Presiding Officer Board

[Original signed by:]

Thomas S. Moore, Chairman
Administrative Judge

Rockville, MD
February 9, 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing PAPO ORDER (SUSPENDING MONTHLY SUPPLEMENTATION REQUIREMENT) have been served upon the following persons either by Electronic Information Exchange or electronic mail (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

Jonathan Rund

E-mail: PAPO@nrc.gov

Susan Stevenson-Popp

E-mail: PAPO@nrc.gov

Bradley S. Baxter*

E-mail: bxh@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: elj@nrc.gov

Evangeline S. Ngbea

E-mail: esn@nrc.gov

Rebecca L. Giitter

E-mail: rlg@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 Public Affairs**

Mail Stop - O-2A13

David McIntyre

E-mail: dtm@nrc.gov

Docket No. PAPO-00
PAPO ORDER (SUSPENDING MONTHLY
SUPPLEMENTATION REQUIREMENT)

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

Mail Stop - T-7 F3
Washington, DC 20555-0001

Jeffrey A. Ciocco
Email: jac3@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

Gwendolyn D. Hawkins

E-mail: gxx2@nrc.gov

Janice E. Moore, Esq.

E-mail: jem@nrc.gov

Trip Rothschild, Esq.*

E-mail: tbr@nrc.gov

Harry E. Wedewer, Esq.

E-mail: hew@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, Esq.

E-mail: martha.crosland@hq.doe.gov

Angela M. Kordyak, Esq.

E-mail: angela.kordyak@hq.doe.gov

U.S. Department of Energy

1000 Independence Avenue, S.W.
Washington, DC 20585

William Greene, Public Information Officer

william.greene@hq.doe.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

Docket No. PAPO-00
PAPO ORDER (SUSPENDING MONTHLY
SUPPLEMENTATION REQUIREMENT)

**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

Kerry M. Grooms*
Email: kerry_grooms@ymp.gov
Susan L. Rives, Chief Counsel*
E-mail: susan_rives@ymp.gov

Harry E. Leake*
E-mail: harry_leake@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
Mark Van Der Puy*
E-mail: mark_vanderpuy@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

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

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

Nuclear Waste Technical Review Board
Victoria Reich*
E-mail: reich@nwtrb.gov

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

**Mineral County (NV) Board of County
Commissioners**
P.O. Box 1600
Hawthorne, NV 89415
Linda Mathias, Administrator*
Office of Nuclear Projects
E-mail: yuccainfo@mineralcountynv.org

**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

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
Chris Kennedy, Project Coordinator*
E-mail: ckennedy@qnet.com

Docket No. PAPO-00
PAPO ORDER (SUSPENDING MONTHLY
SUPPLEMENTATION REQUIREMENT)

Inyo County (CA) Yucca Mtn Nuclear Waste
Repository Assessment Office
Chris Howard
GIS/LAN Administrator
Inyo County
163 May St.
Bishop, CA 93514
E-mail: choward@inyowater.org

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
Anne W. Cottingham, Esq.*
E-mail: awc@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

Lander County Nuclear Waste Oversight
Program
315 South Humboldt St.
Battle Mountain, NV 89820
Deborah Teske, Administrator
E-mail: dteske@landercounty.org

Intertech Services Corporation
(for Lincoln County)
P.O. Box 2008
Carson City, NV 89702-2008
Dr. Mike Baughman*
E-mail: mikebaughman@isc-nv.com

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

Lander, Churchill and Mineral County
P. O. Box 33908
Reno, NV 89533
Loreen Pitchford, LNS Administrator
for Lander
E-mail: lpitchford@comcast.net

Talisman International, LLC
1000 Potomac St., NW
Suite 300
Washington, D.C. 20007
Patricia Larimore
E-mail: plarimore@talisman-intl.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

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

Churchill County (NV)
155 North Taylor Street, Suite 182
Fallon, NV 89406
Alan Kall*
E-mail: comptroller@churchillcounty.org

State of Nevada (NV)
100 N. Carson Street
Carson City, NV 89710
Marta Adams*
E-mail: maadams@ag.state.nv.us

Docket No. PAPO-00
PAPO ORDER (SUSPENDING MONTHLY
SUPPLEMENTATION REQUIREMENT)

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

Senator Harry Reid
Attn: Sandra Schubert
Room 528 Hart Senate Office Building
United States Senate
Washington, DC 20510-2803
Email: sandra_schubert@reid.senate.gov

City of Las Vegas
400 Stewart Ave.
Las Vegas, NV 89101
Margaret Plaster, Management Analyst
Email: mplaster@LasVegasNevada.GOV*

[Original signed R. L. Giitter]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 9th day of February 2006