UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

OOFFICE OF THE
SECRETARY

February 14, 2008

MEMORANDUM TO: Board and Participants
U.S. Department of Energy
(High level Waste Repository:
Pre-Application Matters
Docket No. PAPO-00

FROM: Emile L. Julian ***/RA/***
Assistant for Rulemakings
and Adjudications

SUBJECT: TIMELY SERVICE BY NRC STAFF

On February 13, Daniel W. Lenehan, Counsel for the NRC Staff in this proceeding served by electronic information exchange (EIE), a pleading entitled "NRC Staff Answer to the State of Nevada's Motion for Leave to File a Limited Reply." The filing was served at 4:51 pm within the allotted time for filing. Mr. Lenehan received a confirmation notice from the EIE administrator that the filing was accepted. However, Mr. Lenehan inadvertently chose the General Form for submission rather than the Adjudicatory Form, and thus the service list did not receive the filing on that date. After discussion with Mr. Lenehan, he resubmitted the filing using the Adjudicatory Form on this date.

The Office of the Secretary recognizes that the delay in filing was inadvertent. Therefore, the filing will be docketed as of February 13, 2004.

cc: Service List