

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 04/16/08
SERVED 04/16/08

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Thomas S. Moore, Chairman
G. Paul Bollwerk, III
Paul S. Ryerson

In the Matter of

U.S. DEPARTMENT OF ENERGY

(High-Level Waste Repository:
Pre-Application Matters, Advisory PAPO
Board)

Docket No. PAPO-001

ASLBP No. 08-861-01-PAPO-BD01

April 16, 2008

MEMORANDUM
(Logistics for Conference)

On April 4, 2008, the Advisory Pre-License Application Presiding Officer Board (Advisory PAPO Board) issued a Memorandum requesting input from potential parties¹ to the possible adjudication regarding an application by the Department of Energy (DOE) for authorization to construct a high-level waste (HLW) repository at Yucca Mountain, Nevada. The Board posed a number of questions regarding, inter alia, the format for contentions and scheduled a conference at the Nuclear Regulatory Commission's Las Vegas Hearing Facility (LVHF) on May 14, 2008.² This Memorandum provides important information about the logistics associated with the conference.

¹ "Potential party," as used in prior Advisory PAPO Board issuances and here, means DOE, the NRC Staff, the State of Nevada, and any person or entity that meets the definitions of "party," "potential party," or "interested governmental participant" under 10 C.F.R. § 2.1001.

² Licensing Board Memorandum (Requesting Input from Potential Parties on Format for Contentions) (Apr. 4, 2008) (unpublished).

A. Administrative Matters Associated with Conference

1. Date, Time, and Location

The Advisory PAPO Board will conduct a conference on Wednesday, May 14, 2008, beginning at 9:00 a.m. PDT in the LVHF. Although the conference is expected to last only one day, it may go into the early evening if needed to complete the Advisory PAPO Board's business.

The conference will be open to the public. Members of the public may attend the conference at the LVHF, located in the Pacific Enterprise Plaza, Building 1, 3250 Pepper Lane, Las Vegas, Nevada. In addition, members of the public may attend this conference via video conference link to the Atomic Safety and Licensing Board Panel's Rockville Hearing Room (RHR), located on the third floor of Two White Flint North, 11545 Rockville Pike, Rockville, Maryland. The conference will be video linked with the RHR beginning at noon EDT.

2. Participants

The Board requests that counsel for DOE, the State of Nevada, and the NRC Staff attend the conference in Las Vegas. Participation in the conference is open to any potential party that wishes to comment on procedural issues arising from a possible adjudication regarding an application by the Department of Energy (DOE) for authorization to construct a high-level waste (HLW) repository at Yucca Mountain, Nevada. Participation is not limited to those potential parties that have already offered their input in response to the Board's prior requests for input and information, but is open to any individual, organization, or governmental entity that contemplates seeking party or interested government entity status in the proceeding. Any potential party that wishes to participate in the conference, however, should file a notice of appearance in the Advisory PAPO proceeding, docket number PAPO-001 if it has not already

filed a notice of appearance in this proceeding or the PAPO proceeding (docket number PAPO-00).²

Each potential party should designate one counsel or representative of record to be the primary contact on its behalf. On or before May 5, 2008, each of the potential parties that is contemplating participating in the May 14 conference should file a notice informing the Board of the name of the individual who will be its primary representative before the Board.

B. Counsel Tables, Conference Rooms, and Parking

Counsel tables, conference rooms, and reserved parking spaces at the LVHF are limited and cannot be permanently reserved. They will be assigned on a space-available basis to representatives of each potential party that has filed a notice of appearance on or before Monday, May 5, 2008, and has followed the applicable steps below. If the number of potential parties seeking tables or conference rooms exceeds availability, the Board will allocate space, and may require potential parties to consolidate or share tables or conference rooms. The Board is unlikely to be able to provide access to additional reserved parking spaces if interest exceeds their availability.

1. Counsel Tables

Counsel tables in the LVHF will be assigned to representatives of potential parties that have filed a notice of appearance.³ Each counsel table will seat two individuals and space is available just outside the hearing room well for other individuals who are supporting the potential party representatives seated in the well.

² See Licensing Board Notice and Memorandum (Requesting Information from Potential Parties) (Mar. 6, 2003) (unpublished) at 7 (requesting that any potential party that has not filed a notice of appearance in the initial PAPO proceeding, docket number PAPO-00, to file a notice of appearance in the Advisory PAPO proceeding that conforms to the requirements of 10 C.F.R. § 2.314(b)).

³ See supra note 2.

DDMSwebmaster@nrc.gov on or before Monday, May 5, 2008. Use of such reserved parking spaces for the conference will be limited to a maximum of two vehicles for each potential party and is limited to the time period starting one hour prior to the conference and ending shortly after the Board has adjourned for the day.

Significant security restrictions apply and must be followed. Any potential party seeking use of a reserved parking space must provide Mr. Deucher a list identifying the driver and an alternate individual responsible for the vehicle. Mr. Deucher will provide the potential party with instructions concerning use of, access to, and security restrictions applicable to the reserved parking spaces. Failure to abide by these procedures will result in the denial of such a request.

C. Security, Early Arrival Encouraged

1. Las Vegas Hearing Facility

Upon arrival at the front entrance of the LVHF, all persons seeking to enter the building will be required to present at least one form of state or federal government-issued photo identification and then undergo a security screening process. This will include walking through a magnetometer and having handbags, briefcases, packages, and similar articles subjected to x-ray screening and further hand searching/screening as necessary.

Given that LVHF security procedures permit only a limited number of individuals to occupy the lobby at one time, people seeking entrance may temporarily need to wait outside. Thus, people seeking to avoid an extended wait are encouraged to arrive at the LVHF in advance of the conference by at least one-half hour. Counsel and representatives of the potential parties should arrive even earlier to ensure they do not disrupt the beginning of the conference.

2. Rockville Hearing Room

For those persons viewing the conference via video link at the RHR, upon arrival at the

main entrance to the NRC Headquarters' Two White Flint North building, all members of the public will be required to present state or federal government-issued photo identification and undergo security screening. All attendees at the RHR should allow adequate time for the required security procedures, and plan to arrive well in advance of noon EDT on May 14, 2008. Individuals seeking to expedite their entry to the NRC headquarters complex should send an e-mail (with the subject line stating "Registration"), containing the names of the persons planning to attend the conference at the RHR to Patricia Harich (pah@nrc.gov) on or before Monday, May 5, 2008. Attendee pre-registration is not required for those who wish to attend the conference at the LVHF.

D. Additional Information to Follow

As the Board requested in its April 4, 2008 Memorandum, input from potential parties on the format for contentions should be submitted by Monday, April 28, 2008. After the Board receives responses from the potential parties to the questions posed in its April 4, 2008 Memorandum, in a separate order prior to the conference, the Board may pose additional questions or topics for discussion to be addressed by potential parties at the conference. At

that time, the Board will provide additional conference logistical information, including information about the manner in which the conference will be conducted.

The Advisory Pre-License Application
Presiding Officer Board

/RA/

Thomas S. Moore, Chairman
ADMINISTRATIVE JUDGE

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

/RA/

Paul S. Ryerson
ADMINISTRATIVE JUDGE

Rockville, Maryland

April 16, 2008

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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U.S. DEPARTMENT OF ENERGY) Docket No. PAPO-001
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(Advisory Pre-License Application:)
Presiding Officer Board)
(Advisory PAPO Board))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ADVISORY PAPO BOARD MEMORANDUM (LOGISTICS FOR CONFERENCE) have been served upon the following persons by Electronic Information Exchange.

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[Original signed by R. L. Giitter]
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