

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

Before Administrative Judges:

Thomas S. Moore, Chairman
Alex S. Karlin
Alan S. Rosenthal

DOCKETED 04/29/08
SERVED 04/29/08

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
April 29, 2008

ORDER

(Regarding Production of Basic Licensing Documents
on the Licensing Support Network)

In light of the fact that the United States Department of Energy (DOE) has stated that it expects to submit its license application in less than two months,¹ the Pre-License Application Presiding Officer (PAPO) Board finds it appropriate to remind DOE that, pursuant to 10 C.F.R. § 2.1003(b), the license application “must be made available on the LSN [licensing support network] as a basic licensing document.” CLI-06-5, 63 NRC 143, 157 (2006).

This will confirm that the case management orders issued herein, including those related to privilege claims (*e.g.*, official use only information), privilege logs, dispute resolution, supplementation, the production of redacted versions to the public, and the production of unredacted versions pursuant to protective orders, apply to the license application, its exhibits and attachments, and to all other basic licensing documents. Thus, for example, when the license application is filed, the application (or, a redacted version of it) must simultaneously be

¹ The Department of Energy’s Thirty-Fifth Monthly Status Report Regarding LSN Certification and License Application Submittal (Mar. 31, 2008).

made available to the public on the LSN.² Likewise, when any supplement or amendment to the license application is filed, it must simultaneously be made available on the LSN.

It is so ORDERED.

For the Pre-license Application
Presiding Officer Board

/RA/

Thomas S. Moore, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland

April 29, 2008

² The Board recognizes that the spidering of the license application and its attachments may take several hours and thus that simultaneity may not be perfectly achieved. As a practical matter, this should not be a problem.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing PAPO BOARD ORDER (Regarding Production of Basic Licensing Documents on the Licensing Support Network) have been served upon the following persons by Electronic Information Exchange.

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[Original signed by L. Lewis]
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Dated at Rockville, Maryland
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