

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
U.S. DEPARTMENT OF ENERGY

Docket No. 63-001-HLW

ASLBP Nos. 09-876-HLW-CAB01, 09-877-HLW-CAB02, 09-878-HLW-CAB03

ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARDS

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 Fed. Reg. 28,710 (1972), and the Commission's regulations, see 10 C.F.R. §§ 2.300 et seq., 2.1000 et seq., notice is hereby given that Atomic Safety and Licensing Boards are being established to preside over the Petitions to Intervene and the Requests to Participate in the following proceeding, and to perform all other duties as the Chief Administrative Judge may assign:

U.S. DEPARTMENT OF ENERGY
High-Level Waste Repository
Construction Authorization Application

This proceeding concerns Petitions to Intervene from (1) Caliente Hot Springs Resort LLC ; (2) State of California; (3) Clark County, Nevada; (4) Churchill, Esmeralda, Lander and Mineral Counties, Nevada; (5) Inyo County, California; (6) Native Community Action Council; (7) State of Nevada; (8) Nuclear Energy Institute; (9) Nye County, Nevada; (10) Timbisha Shoshone Tribe; (11) Timbisha Shoshone Yucca Mountain Oversight Program Non-Profit; and (12) White Pine County, Nevada. Additionally, Requests to Participate as an Interested Government Body have been received from: (1) Eureka County, Nevada; and (2) Lincoln County, Nevada. The Petitions and Requests, which were submitted in response to an October 22, 2008 Notice of Hearing and Opportunity To Petition for Leave To Intervene (73 Fed. Reg. 63,029), challenge the June 3, 2008 application filed by the Department of Energy seeking authorization to construct a geologic repository at Yucca Mountain in Nye County, Nevada.

The Licensing Boards, which shall also be referred to as Construction Authorization Boards (CABs), are comprised of the following Administrative Judges:

CAB 01

William J. Froehlich, Chair
Atomic Safety and Licensing Board Panel
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Washington, D.C. 20555-0001

Thomas S. Moore
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Richard E. Wardwell
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CAB 02

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CAB 03

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The allocation among the CABs of the Petitions to Intervene and/or the proffered contentions, as well as the Requests to Participate, will be announced at a later date. Until further order, all pleadings, correspondence, documents, and other materials shall be filed with all three CABs in accordance with 10 C.F.R. § 2.1013(c).

/RA/

E. Roy Hawken
Chief Administrative Judge
Atomic Safety and Licensing Board Panel

Issued at Rockville, Maryland,
this 16th day of January 2009.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
U.S. DEPARTMENT OF ENERGY) Docket No. 63-001
)
(High-Level Waste Repository))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ESTABLISHMENT OF ATOMIC SAFETY LICENSING BOARDS, dated January 16, 2009, have been served upon the following persons by Electronic Information Exchange.

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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001
ESTABLISHMENT OF ATOMIC SAFETY LICENSING BOARDS

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