

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

Before Administrative Judges:

Thomas S. Moore, Chairman
Paul S. Ryerson
Richard E. Wardwell

In the Matter of
U.S. DEPARTMENT OF ENERGY
(High Level Waste Repository)

Docket No. 63-001-HLW
ASLBP No. 09-892-HLW-CAB04
September 1, 2009

MEMORANDUM AND ORDER
(Logistics for Prehearing Conference)

On August 25, 2009, this Construction Authorization Board issued a memorandum and order convening – and setting the agenda for – a prehearing conference to be held at the Las Vegas Hearing Facility (LVHF) on September 14 and 15, 2009.¹ This memorandum provides important information about the logistics associated with the prehearing conference.

A. Administrative Matters

1. Time and Location

The prehearing conference will take place on Monday, September 14, 2009, beginning at 9:00 a.m. PDT in the LVHF, Pacific Enterprise Plaza, Building 1, 3250 Pepper Lane, Las Vegas, Nevada. If necessary, the conference will continue on Tuesday, September 15, 2009, beginning at 9:00 a.m. PDT. Counsel for Eureka County will participate via videoconference from 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.² The conference will

¹ See Memorandum and Order (Concerning Further Prehearing Conference) (Aug. 25, 2009) (unpublished).

² See Order (Granting Motion to Participate by Videoconference and Request for Webcasting) (Aug. 25, 2009) (unpublished).

be video linked with the RHR beginning at 12:00 noon EDT on each of the two mornings.

The prehearing conference will be open to the public at both locations – the LVHF and the RHR. In addition, the conference will be webstreamed for public viewing at the following links:

September 14: <http://www.visualwebcaster.com/event.asp?id=61553>

September 15: <http://www.visualwebcaster.com/event.asp?id=61554>

This web stream will be available for viewing for 90 days after the conference concludes.

2. Participants

At least one counsel for each party who has filed an appropriate notice of appearance shall attend the prehearing conference in Las Vegas. For purposes of the conference, counsel tables in the well of the LVHF are reserved for counsel and will be assigned to each party. No other persons will be allowed in the well of the LVHF during the conference. On or before September 9, 2009, each of the parties shall file a notice informing the Board of the name of the individual who will be its primary representative before the Board.

3. Digital Document Management System (DDMS)

Every filing in Docket No. 63-001-HLW that is available on the Electronic Hearing Docket (EHD) is capable of being displayed by the Clerk of Court on the computer monitors in the LVHF. Upon request, the Clerk of Court will retrieve for display on the DDMS any documents to be referenced during the conference.

B. Logistical Matters

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. Given that LVHF security

procedures permit only a limited number of individuals to occupy the lobby at one time, people seeking entry may temporarily need to wait outside. Thus, everyone is encouraged to arrive at the LVHF well in advance of the beginning time for the prehearing conference. Counsel should arrive even earlier to ensure that they do not disrupt the beginning of the conference.

2. Rockville Hearing Room

Counsel for Eureka County and members of the public seeking to view the argument in the RHR will be required to present state or federal government-issued photo identification and undergo security screening upon arrival at the main entrance to the NRC headquarters' Two White Flint North building. All Rockville attendees should allow adequate time for the required security procedures and plan to arrive in advance of 12:00 noon EDT on September 14 and 15. Individuals seeking to expedite their entry to the NRC headquarters complex should send an email (with the subject line stating "Registration-HLW Proceeding"), containing the names of the persons planning to attend the prehearing conference at the RHR to Karen Valloch (karen.valloch@nrc.gov) no later than September 9, 2009.

3. Conference Rooms

Because there are only eight (8) conference rooms in the LVHF, the rooms are assigned as follows. The Department of Energy, NRC Staff, and Nevada will each have their own conference room. The remaining conference rooms will be shared by the parties as follows: (1) California and Lincoln County; (2) Nye County and the Nuclear Energy Institute; (3) Inyo County and Native Community Action Council; (4) Clark County and the Joint Timbisha Shoshone Tribal Group; and (5) Four Counties and White Pine County. Eureka County is not assigned a conference room because it will be participating via videoconference from the RHR. Use of the assigned conference rooms is, of course, voluntary.

Access to the conference room is limited to a maximum of eight (8) authorized

individuals who are part of the litigation team for the parties. Each party who wishes to use an assigned conference room must email Joe Deucher (DDMSWebmaster.Resource@nrc.gov) on or before September 9, 2009 and provide a list of all individuals who will need access to the conference room. Access and use is limited to the time period starting one hour prior to the prehearing conference and ending one hour after the Board has adjourned for the day.

Conference rooms cannot be locked and should not be considered secure repositories for important and sensitive documents, briefcases, purses, or other valuables. In addition, access to the conference room area will require each authorized individual to obtain an access badge and four-number PIN to be used on, and only on, September 14 and 15, 2009, and to comply with applicable security restrictions. Authorized individuals shall not allow non-authorized individuals to enter the conference room area. Authorized individuals shall have no access to those areas of the LVHF used and occupied by the Board, their law clerk and staff, and other LVHF staff.

4. Parking

Counsel may obtain a reserved parking space at the LVHF in connection with the prehearing conference. To do so, counsel should submit a request to Joe Deucher (DDMSWebmaster.Resource@nrc.gov) on or before September 9, 2009. Use of such reserved parking spaces for the prehearing conference will be limited to a maximum of two vehicles for each party, and spaces will be available on a first come, first serve basis. Parking is limited to

the time period starting one hour prior to the prehearing conference and ending one hour after the Board has adjourned for the day. Significant security restrictions apply and must be followed.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Paul S. Ryerson
ADMINISTRATIVE JUDGE³

Rockville, Maryland
September 1, 2009

³ By delegated authority, in the absence of Thomas S. Moore, Chairman.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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U.S. DEPARTMENT OF ENERGY)
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing MEMORANDUM AND ORDER (Logistics for Prehearing Conference), dated September 1, 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-HLW
MEMORANDUM AND ORDER (Logistics for Prehearing Conference)

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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
MEMORANDUM AND ORDER (Logistics for Prehearing Conference)

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MEMORANDUM AND ORDER (Logistics for Prehearing Conference)

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MEMORANDUM AND ORDER (Logistics for Prehearing Conference)

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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
MEMORANDUM AND ORDER (Logistics for Prehearing Conference)

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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
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