

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Atomic Safety and Licensing Board

Before Administrative Judges:

ASLBP BOARD 09-892-HLW-CAB04 Thomas S. Moore, Chairman Paul S. Ryerson Richard E. Wardwell
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In the Matter of	)	
U.S. DEPARTMENT OF ENERGY	)	Docket No. 63-001-HLW
(High Level Waste Repository)	)	December 9, 2009
	)	

STATE OF NEVADA
FIRST UPDATE TO ITS PARTY WITNESS LIST
FOR PHASE I DISCOVERY

In accordance with Case Management Order #2 (CMO #2) dated September 30, 2009 (at 5-6), the State of Nevada (Nevada) hereby files its First Update to Its Party Witness List for Phase I Discovery and states that no additional Party Witnesses have been identified. Due to an omission in its Initial Party Witness List, a Corrected Party Witness List was filed on November 2, 2009, providing information regarding prior testimony of witness Francis S. Kendorski. In this current First Update, Nevada attaches Exhibit 1 from its Initial Party Witness List (filed October 13, 2009), both correcting the Kendorski information and adding two contentions (NEV-SAFETY-045 and 110) to the list of contentions with respect to which Party Witness Dr. Don L. Shettel may provide testimony.

Respectfully submitted,

(signed electronically)

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Dated: December 9, 2009

EXHIBIT 1

State of Nevada
First Update to Party Witness Designations
(December 9, 2009)

Name	Professional Affiliation	Work Address
	General subject matter that will be addressed	
	Specific list of contentions that will be addressed	
	Exhibits containing CV, publications and prior testimony	
Dr. Adrian H. Bath	Intellisci, Ltd.	104 Main Street Willoughby-on-the-Wolds Loughborough LE12 6SZ, UK
	Unsaturated zone flow and transport, unsaturated zone geochemistry, emplacement drift geochemistry, corrosion, and saturated zone geochemistry	
	NEV-SAFETY-042-044, 055-059, 067, 070, 071, 078, 079 and 113-116	
	Dr. Bath's CV and list of publications is provided as Exhibit 2. Dr. Bath has not provided any testimony in the past 4 years.	
Dr. Adrian P. Butler	Department of Civil & Environmental Engineering Imperial College	Skempton Building London, SW7 2AZ, UK
	Infiltration, unsaturated zone flow and transport, and emplacement drift seepage	
	NEV-SAFETY-035, 044-047, 049, 050, 052, 053 and 065	
	Dr. Butler's CV and list of publications is provided as Exhibit 3A. Dr. Butler's prior testimony list is provided as Exhibit 3B.	
Dr. Richard E. Chandler	Director of Studies and Chair of Departmental Teaching Committee Department of Statistical Science University College London	Room 135 1-19 Torrington Place London, WC1E 6BT, UK
	Climate and precipitation, and infiltration	
	NEV-SAFETY-014-018, 024, 028-030, 034, 035 and 037-040	
	Dr. Chandler's CV and list of publications is provided as Exhibit 4. Dr. Chandler has not provided any testimony in the past 4 years.	

Dr. Robert A. Cottis	Corrosion Science & Engineering Corrosion and Protection, Centre University of Manchester Manchester, UK	P.O. Box 88, Sackville Street Manchester, M60 1QD, UK
Emplacement drift geochemistry, corrosion, waste dissolution, drip shields, and rock structure, geomechanics and engineered barrier systems NEV-SAFETY-073, 075, 076, 080-094, 097-110, 124-127, 129 and 142 Dr. Cottis' CV and list of publications is provided as Exhibit 5. Dr. Cottis has not provided any testimony in the past 4 years.		
Dr. Douglas F. Hambley	Agapito Associates, Inc.	2 East 22nd Street Suite 307 Lombard, IL 60148-6106
Emplacement drift seepage, corrosion, drip shields, rock structure, geomechanics and engineered barrier systems, human reliability, retrievability, TAD inspection and verification, and emergency plan effect on post-closure NEV-SAFETY-061-064, 077, 090, 121-123, 128, 130-134, 136-141, 144, 147, 148, 162, 168 and 173 Dr. Hambley's CV and list of publications is provided as Exhibit 6A. Dr. Hambley's prior testimony list is provided as Exhibit 6B.		
Francis S. Kendorski	Agapito Associates, Inc.	2 East 22nd Street, Suite 307 Lombard, IL 60148-6106
Emplacement drift seepage, rock structure, geomechanics and engineered barrier systems NEV-SAFETY-077, 121, 123, 131-134 and 136 Mr. Kendorski's CV and list of publications is provided as Exhibit 7. Mr. Kendorski's prior testimony list was provided as Exhibit 7B to Nevada's Correction to Its Initial Party Witness List filed November 2, 2009.		
Dr. Stephan K. Matthäi	Chair of Reservoir Engineering Department of Mineral Resources and Petroleum Engineering Montan University of Leoben Austria	Max Tandler Strasse 4 8700 Leoben, Austria
Infiltration, unsaturated zone flow and transport, emplacement drift seepage, and corrosion NEV-SAFETY-041, 047, 048, 050-054, 061-064, 066, 095 and 096 Dr. Matthäi's CV and list of publications is provided as Exhibit 8. Dr. Matthäi has not provided any testimony in the past 4 years.		

James A. McMaster	MC Consulting	5483 Bluff Head Road Huletts Landing, NY 12841
	Corrosion and drip shields	
	NEV-SAFETY-080-085, 124-130, 142-145 and 162	
	Mr. McMaster's CV and list of publications is provided as Exhibit 9. Mr. McMaster has not provided any testimony in the past 4 years.	
Dr. Maurice E. Morgenstein	President Geosciences Management International, Ltd. Monmouth, Oregon	450 S. Walnut Drive Monmouth, OR 97361
	Unsaturated zone flow and transport, unsaturated zone geochemistry, emplacement drift seepage, emplacement drift geochemistry, corrosion, waste dissolution, and saturated zone geochemistry	
	NEV-SAFETY-055, 056, 060, 065, 067-073, 084, 086-100, 105-109, 111, 112, 114, 115 and 117	
	Dr. Morgenstein's CV and list of publications is provided as Exhibit 10. Dr. Morgenstein has not provided any testimony in the past 4 years.	
Dr. Jonathan T. Overpeck	Institute for Environment and Society (IES) University of Arizona Tucson, Arizona	715 N. Park Ave., 2nd Floor Tucson, AZ 85721
	Climate and precipitation	
	NEV-SAFETY-009-013, 018 and 019	
	Dr. Overpeck's CV and list of publications is provided as Exhibit 11. Dr. Overpeck has not provided any testimony in the past 4 years.	
Dr. Lawrence D. Phillips	Visiting Professor of Decision Sciences London School of Economics	1 Ladywell Court 22 East Heath Road London, NW3 1AH, UK
	Volcanism	
	NEV-SAFETY-164	
	Dr. Phillips' CV and list of publications is provided as Exhibit 12. Dr. Phillips has not provided any testimony in the past 4 years.	

Dr. Don L. Shettel	Consulting Geochemist GeoData Systems	1616 Broadmoor Court Boulder City, NV 89005
	Unsaturated zone flow and transport, unsaturated zone geochemistry, emplacement drift seepage, emplacement drift geochemistry, saturated zone geochemistry, corrosion, drip shields, and rock structure, geomechanics and engineered barrier systems	
	NEV-SAFETY-045, 048, 049, 055-059, 061-064, 067, 077-079, 110, 113, 116, 123, 130 and 162	
	Dr. Shettel's CV and list of publications is provided as Exhibit 13. Dr. Shettel has not provided any testimony in the past 4 years.	
Dr. Eugene I. Smith	Department of Geoscience University of Nevada	4505 S. Maryland Pkwy Las Vegas, NV 89154-4010
	Volcanism	
	NEV-SAFETY-150-158 (to be consolidated with CLK-SAFETY-003-011 and INY-SAFETY-003)	
	Dr. Smith's CV and list of publications is provided as Exhibit 14. Dr. Smith has not provided any testimony in the past 4 years.	
Dr. Michael C. Thorne	Mike Thorne and Associates, Ltd.	Abbotsleigh, Kebroyd Mount Ripponden, Halifax West Yorkshire HX6 3JA, UK
	Climate and precipitation, infiltration, saturated zone geochemistry, corrosion, drip shields, volcanism, rock structure, geomechanics and engineered barrier systems, biosphere factors, human reliability, and TSPA & PMA	
	NEV-SAFETY-009-011, 041, 074, 117-120, 122, 147, 148, 159-164 and 170, and NEV-NEPA-018	
	Dr. Thorne's CV and list of publications is provided as Exhibit 15A. Dr. Thorne's prior testimony list is provided as Exhibit 15B.	
Dr. Howard S. Wheeler	Imperial College of Science, Technology & Medicine	Skempton Building London, SW7 2AZ, UK
	Climate and precipitation, and infiltration	
	NEV-SAFETY-014-018, 020-038, 040 and 046	
	Dr. Wheeler's CV and list of publications is provided as Exhibit 16A. Dr. Wheeler's prior testimony list is provided as Exhibit 16B.	

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NUCLEAR REGULATORY COMMISSION**

Atomic Safety and Licensing Board

In the Matter of	)	
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U.S. DEPARTMENT OF ENERGY	)	Docket No. 63-001-HLW
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing State of Nevada's First Update to Its Party Witness List for Phase I Discovery, has been served upon the following persons by the Electronic Information Exchange:

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