

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

**ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges:**

**09-892-HLW-CAB04
Thomas S. Moore, Chairman
Paul S. Ryerson
Richard E. Wardwell**

In the Matter of:	)	December 18, 2009
	)	
U.S. Department of Energy	)	
	)	Docket No. 63-001
(High Level Waste Repository	)	
Construction Authorization Application)	)	

**U.S. DEPARTMENT OF ENERGY
NOTICE OF DEPOSITION OF DR. JONATHAN T. OVERPECK**

Please take notice that on February 17, 2009 at 9:00 a.m. at a location in Tucson, Arizona, to be agreed upon by the parties, counsel for the U.S. Department of Energy will take, pursuant to 10 C.F.R. § 2.1019, the deposition upon oral examination of:

Dr. Jonathan T. Overpeck
Institute for Environment and Society
University of Arizona
715 N. Park Ave., 2nd Floor
Tucson, AZ 85721

The deposition will cover topics relating to the following contentions: Nevada-Safety-9 (“Increasing CO₂ Levels on Future Climate Projections”), 10 (“Consideration of Forcing Functions on Future Climate Projections”), 11 (“Human-Induced Climate Changes on Prediction of the Next Glacial Period”), 12 (“Projections of Future Wetter Climate Conditions”), 13 (“Future Climate Projections Need to Include Extreme Precipitation Events”), 18 (“Use of Climate Data from the Analog Sites”), and 19 (“Future Infiltration Projections Need to Include

Reduced Vegetation Cover”). The deposition shall be taken before an officer authorized by the laws of the United States or the State of Arizona to administer oaths and will be recorded by stenographic means. DOE notes that the party defending the deposition is responsible for compliance with 10 C.F.R. § 2.1019(i).

Respectfully submitted,

Signed electronically by Donald J. Silverman

Donald J. Silverman
Counsel for the U.S. Department of Energy
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, N.W.
Washington, DC 20004

James Bennett McRae
Martha S. Crosland
U.S. Department of Energy
Office of the General Counsel
1000 Independence Avenue, SW
Washington, DC 20585

Dated in Washington, DC
this 18th day of December 2009

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

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

In the Matter of	)	Docket No. 63-001
	)	
U.S. DEPARTMENT OF ENERGY	)	ASLBP No. 09-892-HLW-CAB04
	)	
(High-Level Waste Repository)	)	December 18, 2009
	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the “**Notice of Deposition of Dr. Jonathan T. Overpeck**” have been served on the following persons on this 18th day of December 2009 through the Nuclear Regulatory Commission’s Electronic Information Exchange.

CAB 04

Atomic Safety and Licensing Board Panel

Thomas S. Moore, Chair

E-mail: tsm2@nrc.gov

Paul S. Ryerson

E-mail: psrl@nrc.gov

Richard E. Wardwell

E-mail: rew@nrc.gov

Parties Served

Adams, Marta
Andersen, Robert M.
Bailey, Annie
Barlow, Gregory
Baughman, Mike
Bauser, Michael A.
Belete, Elene
Bell, Kevin W.
Berkey, Curtis
Beutel, Theodore
Bollwerk III, G. Paul

E-mail Addresses

madams@ag.nv.gov
robert.andersen@akerman.com
baileys@lcturbonet.com
lcda@lcturbonet.com
bigboff@aol.com
mab@nei.org
ebelete@jsslaw.com
kwbell@energy.state.ca.us
curtis.berkey@abwwlaw.com
tbeutel@eurekanv.org
gpb@nrc.gov

Borella, Edward
Borski, Laurie
Brooks, Felicia M.
Bupp, Margaret
Carter, Lorraine
Cereghino, Stephen
Choate, Zoie
Colburn, Ross
Cottingham, Anne
Crosland, Martha S.
Curran, Diane
Damele, Ronald
DiNunzio, Nicholas
Dobie, Julie
Dreher, Michael
Dudley, Sherry
Durbin, Susan
Eredia, Sally
Faglioni, Kelly L.
Fitzpatrick, Charles J.
Francis, Karin
Fraser, Matthew
Frishman, Steve
Gendelman, Adam S.
Gibson, Michael M.
Giitter, Rebecca
Gilman, Joseph
Ginsberg, Ellen C.
Golshan, K. G.
Gores, Jennifer A.
Gutierrez, Jocelyn
Hanna, Robert S.
Harrington, Arthur J.
Hawkins, E. Roy
Hearing Docket
Heinzen, Steven A.
Hembacher, Brian
Horin, William
Houck, Darcie L.
Irwin, Donald P.
James, Gregory L. Esq.
Johnson, Abigail
Kahn, Zachary
Klevorick, Phil
Kriner, Jeffrey
LaPlante, Erica

edward_borella@ymp.gov
lborski@nuclearlawyer.com
fbrooks@ndnlaw.com
mjb5@nrc.gov
lcarter@captionreporters.com
stephen_cereghino@ymp.gov
zchoate@co.nye.nv.us
rcolburn@ndnlaw.com
awc@nei.org
Martha.Crosland@hq.doe.gov
dcurran@harmoncurran.com
rdamele@eurekanv.org
Nicholas.DiNunzio@hq.doe.gov
jdobie@gklaw.com
michael.dreher@nrc.gov
sdudley@co.nye.nv.us
susan.durbin@doj.ca.gov
seredia@ndnlaw.com
kfaglioni@hunton.com
cfitzpatrick@nuclearlawyer.com
kxf4@nrc.gov
mfraser@harmoncurran.com
steve.frishman@gmail.com
Adam.Gendelman@nrc.gov
mmg3@nrc.gov
rll@nrc.gov
jsg1@nrc.gov
ecg@nei.org
kg.golshan@nrc.gov
jgores@armstrongteasdale.com
Jocelyn.Gutierrez@ymp.gov
rshanna@bsglaw.net
aharring@gklaw.com
erh@nrc.gov
hearingdocket@nrc.gov
sheinzen@gklaw.com
brian.hembacher@doj.ca.gov
whorin@winston.com
dhouck@ndnlaw.com
dirwin@hunton.com
gljames@earthlink.net
eurekanrc@gmail.com
zxk1@nrc.gov
klevorick@co.clark.nv.us
jeffrey_kriner@ymp.gov
eal1@nrc.gov

Larimore, Patricia
Lawrence, John W.
Leigh, Rovianne
Lembke, Alisa
Lenehan, Daniel
Lewis, Linda
List, Robert F.
Loveland, Bryce
Lynch, Susan
Maerten, Daniel
Malsch, Martin G.
Martin, Circe
Martinez, Melanie
Mathias, Linda
McRae, Ben
Meharg, Stephanie
Mercado, Michele
Miras-Wilson, Rachel
Montesi, Susan
Moore, Thomas S.
Mueller, Edwin
Murphy, Malachy
Nezhad, Cyrus
Niegemann, Brian
OCA Mail Center
Pak, Christina
Peebles, John M.
Peterson, William
Pitchford, Loreen, LSN Coordinator
Pitts, Jason
Poland, Douglas M.
Putzu, Frank
Renfro, Hanna
Repka, David A.
Rhoan, Robert
Robbins, Alan
Roby, Debra
Rosenthal, Alan S.
Rotman, Matthew
Ryan, Tom
Ryerson, Paul S.
Schwartz, Jacqueline
Sears, Richard
Shebelskie, Michael R.
Silberg, Jay E.
Silvia, Andrea L.

plarimore@talisman-intl.com
jlawrence@nuclearlawyer.com
rleigh@abbwlaw.com
alembke@inyocounty.us
daniel.lenehan@nrc.gov
linda.lewis@nrc.gov
rlist@armstrongteasdale.com
bloveland@jsslaw.com
slynch1761@gmail.com
Daniel.Maerten@caci.com
mmalsch@nuclearlawyer.com
ogcmailcenter@nrc.gov
wpnucwst2@mwpower.net
yuccainfo@mineralcountynv.org
Ben.McRae@hq.doe.gov
smeharg@hunton.com
michele.mercado@doj.ca.gov
rwilson@winston.com
smontesi@nuclearlawyer.com
tsm2@nrc.gov
muellered@msn.com
mrmurphy@chamberscable.com
Cyrus.Nezhad@hq.doe.gov
bniegemann@ndnlaw.com
OCAAMAIL@nrc.gov
Christina.Pak@hq.doe.gov
jpeebles@ndnlaw.com
paengineer@juno.com
lpitchford@comcast.net
jayson@idtservices.com
dpoland@gklaw.com
frank.putzu@navy.mil
hrenfro@gklaw.com
drepka@winston.com
rrhoan@ndnlaw.com
arobbins@jsslaw.com
droby@jsslaw.com
rsnthl@nrc.gov; axr@nrc.gov
matthew.rotman@nrc.gov
Tom.Ryan@nrc.gov
psr1@nrc.gov
jschwartz@gklaw.com
rwsears@wpcda.org
mshebelskie@hunton.com
jay.silberg@pillsburylaw.com
alc1@nrc.gov

Simkins, Connie
Simon, Mike
Sisco, Carlos L.
Sommer, Josephine
Sullivan, Timothy E.
Tucker, Katherine
VanNiel, Jeffrey D.
Vazquez, Tameka
Vibert, Elizabeth A.
Walsh, Timothy J.
Wardwell, Richard E.
Webb, Maria
Whipple, Bret
Williams, Scott
Wright, Belinda A.
Young, Mitzi A.
Zabarte, Ian
Zobler, Marian L.

jcciac@co.lincoln.nv.us
wpnucast1@mwpower.net
csisco@winston.com
Josephine.Sommer@ymp.gov
timothy.sullivan@doj.ca.gov
Katie.Tucker@nrc.gov
nbrjdn@gmail.com
purpose_driven@yahoo.com
VibertE@co.clark.nv.us
timothy.walsh@pillsburylaw.com
rew@nrc.gov
maria.webb@pillsburylaw.com
bretwhipple@lcturbonet.com
swilliams@abbwlaw.com
bwright@hunton.com
may@nrc.gov
mrizabarte@gmail.com
mlz@nrc.gov

Signed electronically by Donald J. Silverman
Donald J. Silverman