

**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:)	January 19, 2010
)	
U.S. Department of Energy)	
(High Level Waste Repository)	Docket No. 63-001
Construction Authorization Application))	
)	

**NOTICE REGARDING DOE COUNSEL PARTICIPATION IN
JANUARY 26-27
ORAL ARGUMENT AND CASE MANAGEMENT CONFERENCE**

Pursuant to the Atomic Safety and Licensing Board’s January 11, 2010 “Memorandum and Order (Logistics for Oral Argument)” paragraph B.2, the following counsel will be presenting oral argument on the following legal issues on behalf of the U.S. Department of Energy (DOE):

Legal Issue No.	Contention(s)	Counsel
1	NEI-Safety-005	Donald Silverman
2	NEV-Safety-009, 010, 011, 012, 013 and 019	Donald Silverman
3, 4	NEV-Safety-011, 019 and 202	Donald Silverman
5	NEV-Safety-041	Ray Kuyler
6	NEV-Safety-146, 201	Ray Kuyler
7	NEV-Safety-149	Donald Silverman

Legal Issue No.	Contention(s)	Counsel
8	NEV-Safety-161	Donald Silverman
9	NEV-Safety-169	Donald Silverman
10	NEV-Safety-162	Donald Silverman
11	NEV-Safety-171	Donald Silverman

In addition, Mr. Michael Shebelskie and Mr. Donald Silverman will represent DOE at the Case Management Conference with respect to the matters raised by the LSN Administrator's December 17, 2009 memorandum.

Respectfully submitted,

Signed (electronically) by Donald J. Silverman

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Dated in Washington, DC
this 19th day of January 2010

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NUCLEAR REGULATORY COMMISSION**

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In the Matter of)	Docket No. 63-001
U.S. DEPARTMENT OF ENERGY)	ASLBP No. 09-892-HLW-CAB04
(High-Level Waste Repository))	January 19, 2010

CERTIFICATE OF SERVICE

I hereby certify that copies of the “**NOTICE REGARDING DOE COUNSEL PARTICIPATION IN JANUARY 26-27 ORAL ARGUMENT AND CASE MANAGEMENT CONFERENCE**” have been served on the following persons on this 19th day of January 2010 through the Nuclear Regulatory Commission’s Electronic Information Exchange.

CAB 04

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