

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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

**NOTICE OF RECUSAL**

Prior to my appointment as a Commissioner, I chaired the Independent Performance Assessment Review (IPAR) Panel, which was tasked by Sandia National Laboratories (SNL), the U.S. Department of Energy's Lead Laboratory for Repository Systems, to conduct a high-level review for SNL and its senior management on the adequacy of the long-term performance assessment for the proposed Yucca Mountain repository. The panel conducted its review between March, 2007 and March, 2008. It issued its report on March 31, 2008 (LSN #: DEN001598189).

In consideration of my prior service to SNL on the proposed Total System Performance Assessment for the Yucca Mountain application, I have concluded that I should recuse myself from this adjudicatory proceeding involving the U.S. Department of Energy's application for authorization to construct a high-level waste repository at Yucca Mountain, Nevada.

I decided not to participate in this proceeding prior to and without consideration of the unrelated motion for recusal/disqualification that was filed by the State of Washington, State of South Carolina, Aiken County, South Carolina, and White Pine County, Nevada, on July 9, 2010. My recusal decision is based solely on my prior engagement by Sandia National Laboratories.

          
**/RA/**  
George Apostolakis  
NRC Commissioner

Dated at Rockville, Maryland  
this 15<sup>th</sup> day of July, 2010

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **NOTICE OF RECUSAL** dated July 15, 2010, 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  
**NOTICE OF RECUSAL**

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Dated at Rockville, Maryland  
this 15<sup>th</sup> day of July 2010