

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

July 7, 2011

ORDER
(Regarding DOE's Reconsideration Motion)

In light of the representations in the Department of Energy's (DOE) June 20, 2011 reconsideration motion¹ of CAB-04's June 10, 2011 Order² and the representations in the State of Nevada's (Nevada) June 30, 2011 answer to DOE's motion,³ the Board will withhold action on DOE's motion until DOE and Nevada jointly inform the Board they have executed the "nearly completed" agreement described in their filings.⁴

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Thomas S. Moore, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
July 7, 2011

¹ See U.S. Department of Energy's Motion for Leave to File Motion for Reconsideration of June 10, 2011 CAB Order (June 20, 2011) [hereinafter DOE Motion].

² See CAB Order (Regarding Use of LSN) (June 10, 2011) (unpublished).

³ See State of Nevada Answer to DOE Motion for Leave to File Motion for Reconsideration of June 10, 2011 CAB Order (June 30, 2011).

⁴ Id. at 4; DOE Motion at 2.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Licensing Board **ORDER (Regarding DOE's Reconsideration Motion)**, dated July 7, 2011, have been served upon the following persons by Electronic Information Exchange.

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