

June 17, 2008

MEMORANDUM FOR: John F. Cordes, Director  
Office of Commission Appellate Adjudication  
FROM: Annette L. Vietti-Cook, Secretary /RA/  
SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 12:55 P.M., TUESDAY, JUNE 17, 2008, COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

**I. SECY-08-0065 – U.S. DOE (HLW Repository: Pre-Application Matters), Docket No. PAPO-00 – *The State of Nevada's Notice of Appeal From The PAPO Board's January 4, 2008 and December 12, 2007 Orders and The State Of Nevada's Motion to File a Limited Reply***

The Commission approved a Memorandum and Order responding to (1) an appeal by the State of Nevada of the PAPO Board's denial of Nevada's motion to strike the Department of Energy's (DOE) initial Licensing Support Network (LSN) certification, and (2) a motion by the State of Nevada to file a reply brief in connection with this appeal. The Memorandum and Order affirms the PAPO Board's decision (LBP-08-01) denying Nevada's motion to strike DOE's initial LSN certification and denying Nevada's motion to file a limited reply brief.

Commissioner Jaczko offered additional views on this order.

(Subsequently, on June 17, 2008, the Secretary signed the Memorandum and Order.)

**II. SECY-08-0071 – AmerGen Energy Company, LLC, (License Renewal for Oyster Creek Nuclear Generating Station); Citizens' Motion to Stay Proceedings**

The Commission approved a Memorandum and Order responding to the Intervenor's motion that the Commission stay the adjudicatory proceeding and the staff's issuance of a renewed license pending (1) resolution of the pending metal fatigue issue, and (2) the Second Circuit's review of the Commission's decision on a rulemaking petition declining to expand the scope of license renewal review. The Memorandum and Order denies the motion.

(Subsequently, on June 17, 2008, the Secretary signed the Memorandum and Order.)

**III. COMSECY-08-0017 – U.S. Department of Energy (High-Level Waste Repository: Pre-Application Matters, Advisory PAPO Board), Advisory PAPO Board Request for Additional Authority**

The Commission approved a Memorandum and Order responding to the request of the Advisory Pre-License Application Presiding Officer Board (Advisory PAPO Board) for additional authority from the Commission to issue binding case management orders, rather than serving solely in an advisory capacity on these matters. The Memorandum and Order authorizes the Advisory PAPO Board to issue binding case management orders for specified purposes.

(Subsequently, on June 17, 2008, the Secretary signed the Memorandum and Order.)

cc: Chairman Klein  
Commissioner Jaczko  
Commissioner Lyons  
Commissioner Svinicki  
EDO  
OGC  
CFO  
OCA  
OIG  
OPA  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR