

September 8, 2008

MEMORANDUM FOR: John F. Cordes, Director
Office of Commission Appellate Adjudication
FROM: Annette L. Vietti-Cook, Secretary /RA/
SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 9:30 A.M., MONDAY, SEPTEMBER 8, 2008,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO
PUBLIC ATTENDANCE)

I. SECY-08-0094 – U.S. Department of Energy (High Level Waste Repository) DOE's Partially Unopposed Motion for Protective Order Governing Classified Information (Filed May 30, 2008)

The Commission approved a Memorandum and Order responding to a motion by the Department of Energy (DOE) for a protective order that would govern access to classified information contained in DOE's application for authorization to construct a geologic repository at Yucca Mountain, Nevada. The Memorandum and Order delegates to the Pre-Application Presiding Officer (PAPO) Board the authority to work with DOE, Nevada, the staff, and other potential parties and interested governmental participants, if practicable, to approve a Protective Order for use by the Presiding Officer in the Yucca Mountain proceeding, should such a proceeding commence.

(Subsequently, on September 8, 2008, the Secretary signed the Memorandum and Order.)

II. SECY-08-0121 - U.S. Department Of Energy (High Level Waste Repository: Pre-Application Matters), Docket No. PAPO-00- The DOE's Notice of Appeal From the PAPO Board's April 23, 2008 Order and Nye County's Motion to File an Amicus Curiae Brief - SRM - SECY-08-0082

The Commission approved a Memorandum and Order responding to (1) an appeal by the Department of Energy (DOE) of the Pre-License Application Presiding Officer (PAPO) Board's denial of DOE's motion to strike the State of Nevada's Licensing Support Network (LSN) certification, and (2) Nye County's motion to file an amicus curiae brief in connection with this appeal. The Memorandum and Order affirms the PAPO Board's denial of DOE's motion to strike and denies Nye County's motion for leave to file an amicus curiae brief.

(Subsequently, on September 8, 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