

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED 02/09/2006

SERVED 02/09/2006

Before Administrative Judges:

Thomas S. Moore, Chairman
Alex S. Karlin
Alan S. Rosenthal

In the Matter of

U.S. DEPARTMENT OF ENERGY

(High Level Waste Repository:
Pre-Application Matters)

Docket No. PAPO-00

ASLBP No. 04-829-01-PAPO

February 9, 2006

ORDER
(Suspending Monthly Supplementation Requirement)

Pursuant to Part VI. A. of the July 8, 2005 Second Case Management Order, each potential party, after initially certifying its Licensing Support Network (LSN) document collection in accordance with 10 C.F.R. § 2.1009(b), is required to supplement its document collection by the first of each month and to certify that it has done so to the Pre-License Application Presiding Officer (PAPO) Board. Because of the asserted inability of the Department of Energy [DOE] to estimate realistically when it will certify its LSN document collection,¹ the document supplementation requirement of Part VI. A. of the Second Case Management Order is suspended until further order.² All other provisions of the Second Case Management Order remain in effect.

Further, in the event the LSN Administrator wishes to bring any matter concerning the

¹See [DOE's] Sixth Monthly Status Report Regarding LSN Certification and License Application Submittal (Nov. 1, 2005) at 1.

²As the language of Part VI. A. of the Second Case Management Order indicates, the certification requirement only arises if the document collection has been supplemented in any month.

LSN to the attention of the PAPO Board, he shall do so by filing a written memorandum addressed to the members of the PAPO Board and served via the agency's electronic information exchange (EIE). Any potential party desiring to raise a matter involving the LSN shall do so by filing and serving a written motion via the EIE. See 69 Fed. Reg. 42,465 (July 15, 2004).

It is so ORDERED.

For the Pre-License Application
Presiding Officer Board

[Original signed by:]

Thomas S. Moore, Chairman
Administrative Judge

Rockville, MD
February 9, 2006

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing PAPO ORDER (SUSPENDING MONTHLY SUPPLEMENTATION REQUIREMENT) have been served upon the following persons either by Electronic Information Exchange or electronic mail (denoted by an asterisk (*)).

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[Original signed R. L. Giitter]

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