

December 13, 2007

MEMORANDUM TO: E. Roy Hawkens
Chief Administrative Judge
Atomic Safety and Licensing Board Panel

FROM: Annette L. Vietti-Cook, Secretary */RA/*

SUBJECT: STAFF REQUIREMENTS MEMORANDUM
COMSECY-07-0030 – REQUESTING AUTHORITY TO ISSUE
CASE MANAGEMENT ORDERS IN HIGH-LEVEL WASTE
PROCEEDING PRIOR TO THE ISSUANCE OF A NOTICE OF
OPPORTUNITY FOR HEARING

The Commission authorizes the ASLBP (on its own or through the PAPO) to obtain input and suggestions from NRC staff and potential parties on the broad range of procedural matters expected to arise and associated case management requirements that could be imposed in an adjudication regarding an application by the Department of Energy (DOE) for authorization to construct a high-level waste (HLW) repository at Yucca Mountain, Nevada. Following receipt of input and suggestions, the ASLBP should submit its proposed case management language to the Commission for possible inclusion in the Commission's notice of opportunity to request a hearing and order governing the hearing process. If at any time during this process the ASLBP perceives the need to obtain additional authority, the ASLBP should make such a request at that time.

cc: Chairman Klein
Commissioner Jaczko
Commissioner Lyons
OCAA
OGC