

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

**ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges:**

**09-892-HLW-CAB04
Thomas S. Moore, Chairman
Paul S. Ryerson
Richard E. Wardwell**

In the Matter of:)	January 14, 2009
)	
U.S. Department of Energy)	
)	Docket No. 63-001
(High Level Waste Repository)	
Construction Authorization Application))	

**U.S. DEPARTMENT OF ENERGY
NOTICE OF DEPOSITION OF DR. STEPHAN K. MATTHÄI**

Please take notice that on March 18 & 19, 2010 at 9:00 a.m. at the offices of Morgan, Lewis & Bockius (located at 1111 Pennsylvania Avenue, NW, Washington, DC 20004), counsel for the U.S. Department of Energy will take, pursuant to 10 C.F.R. § 2.1019, the deposition upon oral examination of:

Dr. Stephan K. Matthäi
Chair of Reservoir Engineering
Department of Mineral Resources
and Petroleum Engineering
Montan University of Leoben Austria
Max Tandler Strasse 4
8700 Leoben, Austria

The deposition will cover topics relating to the following contentions:

- NEV-SAFETY-041 (“Infiltration”);
- NEV-SAFETY-047 (“UZ Flow & Transport”);
- NEV-SAFETY-048 (“UZ Flow & Transport”);
- NEV-SAFETY-050 (“UZ Flow & Transport”);
- NEV-SAFETY-051 (“UZ Flow & Transport”);

- NEV-SAFETY-052 (“UZ Flow & Transport”);
- NEV-SAFETY-053 (“UZ Flow & Transport”);
- NEV-SAFETY-054 (“UZ Flow & Transport”);
- NEV-SAFETY-061 (“Emplacement Drift Seepage”);
- NEV-SAFETY-062 (“Emplacement Drift Seepage”);
- NEV-SAFETY-063 (“Emplacement Drift Seepage”);
- NEV-SAFETY-064 (“Emplacement Drift Seepage”);
- NEV-SAFETY-066 (“Emplacement Drift Seepage”);
- NEV-SAFETY-095 (“Emplacement Drift Seepage”); and
- NEV-SAFETY-096 (“Corrosion”).

The deposition shall be taken before an officer authorized by the laws of the United States or the District of Columbia to administer oaths and will be recorded by stenographic means. DOE notes that the party defending the deposition is responsible for compliance with 10 C.F.R. § 2.1019(i).

Respectfully submitted,

Signed (electronically) by Alex S. Polonsky

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James Bennett McRae
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Dated in Washington, DC
this 14th day of January 2010

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U.S. DEPARTMENT OF ENERGY)	ASLBP No. 09-892-HLW-CAB04
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CERTIFICATE OF SERVICE

I hereby certify that copies of the “**NOTICE OF DEPOSITION OF DR. STEPHAN K. MATTHÄI**” have been served on the following persons on this 14th day of January 2010 through the Nuclear Regulatory Commission’s Electronic Information Exchange.

CAB 04

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