The NRC Staff (Staff) is filing this update pursuant to the Construction Authorization Board (CAB) 04 order that directed the Staff to identify and update every sixty days, witnesses it intends to call at the hearing in support or defense of Phase 1 NEPA contentions. CAB Case Management Order #2, dated September 30, 2009, at 5-6. The Staff identified its Party Witnesses on October 8, 2009, and last filed its updated witness identification on August 27, 2010. NRC Staff Updated Identification of Witnesses Related to Phase I NEPA Contentions, dated August 27, 2010. At this time, the staff has not identified any additional witnesses.

Respectfully submitted,

/Signed (electronically) by/

Daniel W. Lenehan
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-15-D21
Washington, DC 20555-0001
(301) 415-3501
dwl2@nrc.gov

Dated at Rockville, Maryland
this 26th day of October, 2010
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of

U. S. DEPARTMENT OF ENERGY

(Docket No. 63-001-HLW)

(High-Level Waste Repository)

CERTIFICATE OF SERVICE

I hereby certify that copies of the “NRC STAFF UPDATED IDENTIFICATION OF WITNESSES RELATED TO PHASE 1 NEPA CONTECTIONS” in the above-captioned proceeding have been served on the following persons this 25th day of October, 2010, by Electronic Information Exchange.

CAB 04
Thomas S. Moore, Chairman
Paul S. Ryerson
Richard E. Wardwell
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
E-mail: tsm2@nrc.gov
psr1@nrc.gov
rew@nrc.gov

Office of the Secretary
ATTN: Docketing and Service
Mail Stop: O-16C1
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
E-mail: HEARINGDOCKET@nrc.gov

Office of Commission Appellate
Adjudication
ocaamail@nrc.gov

Charles J. Fitzpatrick, Esq.
John W. Lawrence, Esq.
Egan, Fitzpatrick, Malsch & Lawrence PLLC
12500 San Pedro Avenue, Suite 555
San Antonio, TX 78216
E-mail: cfitzpatrick@nuclearlawyer.com
jlawrence@nuclearlawyer.com

Martin G. Malsch, Esq.
Egan, Fitzpatrick & Malsch, PLLC
1750 K Street, N.W. Suite 350
Washington, D.C. 20006
E-mail: mmalsch@nuclearlawyer.com

Brian W. Hembacher, Esq.
Deputy Attorney General
California Attorney General’s Office
300 South Spring Street
Los Angeles, CA 90013
E-mail: brian.hembacher@doj.ca.gov

Timothy E. Sullivan, Esq.
Deputy Attorney General
California Department of Justice
1515 Clay Street. 20th Flr.
P.O. Box 70550
Oakland, CA 94612-0550
E-mail: timothy.sullivan@doj.ca.gov

Kevin W. Bell, Esq.
Senior Staff Counsel
California Energy Commission
1516 9th Street
Sacramento, CA 95814
E-mail: kwbell@energy.state.ca.us
John M. Peebles  
Darcie L. Houck  
Fredericks Peebles & Morgan LLP  
1001 Second Street  
Sacramento, CA 95814  
E-mail: jpeebles@ndnlaw.com  
dhouck@ndnlaw.com

Shane Thin Elk  
Fredericks Peebles & Morgan, LLP  
3610 North 163rd Plaza  
Omaha, Nebraska 68116  
E-mail: sthinelk@ndnlaw.com

Ellen C. Ginsberg  
Michael A. Bauser  
Anne W. Cottingham  
Nuclear Energy Institute, Inc.  
1776 I Street, N.W., Suite 400  
Washington, D.C. 20006  
E-mail: ecg@nei.org  
mab@nei.org  
awc@nei.org

David A. Repka  
William A. Horin  
Rachel Miras-Wilson  
Winston & Strawn LLP  
1700 K Street N.W.  
Washington, D.C. 20006  
E-mail: drepka@winston.com  
whorin@winston.com  
rwilson@winston.com

Jay E. Silberg  
Timothy J.V. Walsh  
Pillsbury Winthrop Shaw Pittman LLP  
2300 N Street, N.W.  
Washington, D.C. 20037-1122  
E-mail: jay.silberg@pillsburylaw.com  
timothy.walsh@pillsburylaw.com

Gregory L. James  
710 Autumn Leaves Circle  
Bishop, California 93514  
Email: gljames@earthlink.net

Arthur J. Harrington  
Godfrey & Kahn, S.C.  
780 N. Water Street  
Milwaukee, WI 53202  
E-mail: aharrington@gklaw.com

Steven A. Heinzen  
Douglas M. Poland  
Hannah L. Renfro  
Godfrey & Kahn, S.C.  
One East Main Street, Suite 500  
P.O. Box 2719  
Madison, WI 53701-2719  
E-mail: sheinzen@gklaw.com  
dpoland@gklaw.com  
hrenfro@gklaw.com

Robert F. List, Esq.  
Jennifer A. Gores, Esq.  
Armstrong Teasdale LLP  
1975 Village Center Circle, Suite 140  
Las Vegas, NV 89134-6237  
E-mail: rlist@armstrongteasdale.com  
jgores@armstrongteasdale.com

Diane Curran  
Harmon, Curran, Spielberg, & Eisenberg, L.L.P.  
1726 M Street N.W., Suite 600  
Washington, D.C. 20036  
E-mail: dcurran@harmoncurran.com

Ian Zabarte, Board Member  
Native Community Action Council  
P.O. Box 140  
Baker, NV 89311  
E-mail: mrizabarte@gmail.com
Michael Berger
Robert S. Hanna
Attorney for the County of Inyo
233 East Carrillo Street Suite B
Santa Barbara, California 93101
E-mail: mberger@bsglaw.net
rshanna@bsglaw.net

Don L. Keskey
Public Law Resource Center PLLC
505 N. Capitol Avenue
Lansing, MI 48933
E-mail: donkeskey@publiclawresourcenter.com

Philip R. Mahowald
Prairie Island Indian Community
5636 Sturgeon Lake Road
Welch, MN 55089
E-mail: pmahowald@piic.org

James Bradford Ramsay
National Association of Regulatory Utility Commissioners
1101 Vermont Avenue NW, Suite 200
Washington, DC 20005
E-mail: jramsay@naruc.org

/Signed (electronically) by/

Daniel W. Lenehan
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop O-15D21
Washington, DC 20555-0001
(301) 415-3501
dwl2@nrc.gov