

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
U.S. DEPARTMENT OF ENERGY	)	Docket No. 63-001-HLW
	)	
(High-Level Waste Repository)	)	ASLBP No. 09-892-HLW-CAB04
	)	

NRC STAFF UPDATED IDENTIFICATION  
OF WITNESSES RELATED TO SER VOLUME 1

The NRC staff (Staff) is filing this update pursuant to the Construction Authorization Board (CAB) 04 order that directed the Staff to identify witnesses for any issued volumes of the Safety Evaluation Report (SER), and to update its witnesses every sixty days. See CAB Case Management Order #2, dated September 30, 2009 (unpublished), at 5-7. The Staff identified its Party Witnesses for the SER Volume 1 contention on September 2, 2010, and filed its last updated witness identification on February 28, 2011. NRC Staff Updated Identification of Witnesses Related to SER Volume 1, dated February 28, 2011.

At this time, the Staff has not identified any additional witnesses.

Respectfully submitted,

**/Signed (electronically) by/**

Christopher C. Hair  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15D21  
Washington, DC 20555-0001  
(301) 415-2174  
[Christopher.Hair@nrc.gov](mailto:Christopher.Hair@nrc.gov)

Dated at Rockville, Maryland  
this 29th day of April, 2011

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY LICENSING BOARD

In the Matter of )  
 )  
U. S. DEPARTMENT OF ENERGY ) Docket No. 63-001-HLW  
 )  
(High-Level Waste Repository) ) ASLBP No. 09-892-HLW-CAB04  
 )

CERTIFICATE OF SERVICE

I hereby certify that copies of the "NRC STAFF UPDATED IDENTIFICATION OF WITNESSES RELATED TO SER VOLUME 1" in the above-captioned proceeding have been served on the following persons this 29th day of April, 2011, 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, DC 20555-0001  
E-mail: [tsm2@nrc.gov](mailto:tsm2@nrc.gov)  
[psr1@nrc.gov](mailto:psr1@nrc.gov)  
[rew@nrc.gov](mailto:rew@nrc.gov)

Office of the Secretary  
ATTN: Docketing and Service  
Mail Stop: O-16C1  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555  
E-mail: [HEARINGDOCKET@nrc.gov](mailto:HEARINGDOCKET@nrc.gov)

Office of Commission Appellate  
Adjudication  
[ocaamail@nrc.gov](mailto:ocaamail@nrc.gov)

Charles J. Fitzpatrick, Esq.  
John W. Lawrence, Esq.  
Egan, Fitzpatrick, Malsch & Lawrence PLLC  
1777 N.E. Loop 410, Suite 600  
San Antonio, TX 78217  
E-mail: [cfitzpatrick@nuclearlawyer.com](mailto:cfitzpatrick@nuclearlawyer.com)  
[jlawrence@nuclearlawyer.com](mailto:jlawrence@nuclearlawyer.com)

Martin G. Malsch, Esq.  
Egan, Fitzpatrick & Malsch, PLLC  
1750 K Street, N.W. Suite 350  
Washington, DC 20006  
E-mail: [mmalsch@nuclearlawyer.com](mailto: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](mailto:brian.hembacher@doj.ca.gov)

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

Kevin W. Bell, Esq.  
Senior Staff Counsel  
California Energy Commission  
1516 9<sup>th</sup> Street  
Sacramento, CA 95814  
E-mail: [kwbell@energy.state.ca.us](mailto:kwbell@energy.state.ca.us)

Alan I. Robbins, Esq.  
Debra D. Roby, Esq.  
Jennings Strouss & Salmon, PLC  
1350 I Street, NW Suite 810  
Washington, DC 20005-3305  
E-mail: [arobbins@jsslaw.com](mailto:arobbins@jsslaw.com)  
[droby@jsslaw.com](mailto:droby@jsslaw.com)

Donald J. Silverman, Esq.  
Thomas A. Schmutz, Esq.  
Thomas C. Poindexter, Esq.  
Paul J. Zaffuts, Esq.  
Alex S. Polonsky, Esq.  
Lewis Csedrik, Esq.  
Raphael P. Kuyler, Esq.  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, DC 20004  
E-mail: [dsilverman@morganlewis.com](mailto:dsilverman@morganlewis.com)  
[tschmutz@morganlewis.com](mailto:tschmutz@morganlewis.com)  
[tpoindexter@morganlewis.com](mailto:tpoindexter@morganlewis.com)  
[pzaffuts@morganlewis.com](mailto:pzaffuts@morganlewis.com)  
[apolonsky@morganlewis.com](mailto:apolonsky@morganlewis.com)  
[lcsedrik@morganlewis.com](mailto:lcsedrik@morganlewis.com)  
[rkuyler@morganlewis.com](mailto:rkuyler@morganlewis.com)

Malachy R. Murphy, Esq.  
18160 Cottonwood Rd. #265  
Sunriver, OR 97707  
E-mail: [mrmurphy@chamberscable.com](mailto:mrmurphy@chamberscable.com)

Susan L. Durbin, Esq.  
Deputy Attorney General  
1300 I Street  
P.O. Box 944255  
Sacramento, CA 94244-2550  
E-mail: [susan.durbin@doj.ca.gov](mailto:susan.durbin@doj.ca.gov)

Martha S. Crosland, Esq.  
Angela M. Kordyak, Esq.  
Nicholas P. DiNunzio  
James Bennett McRae, Esq.  
Sean A. Lev  
U.S. Department of Energy  
Office of the General Counsel  
1000 Independence Avenue, S.W.  
Washington, DC 20585  
E-mail: [martha.crosland@hq.doe.gov](mailto:martha.crosland@hq.doe.gov)  
[angela.kordyak@hq.doe.gov](mailto:angela.kordyak@hq.doe.gov)  
[nick.dinunzio@rw.doe.gov](mailto:nick.dinunzio@rw.doe.gov)  
[ben.mcrae@hq.doe.gov](mailto:ben.mcrae@hq.doe.gov)  
[Sean.Lev@hq.doe.gov](mailto:Sean.Lev@hq.doe.gov)

George W. Hellstrom  
U.S. Department of Energy  
Office of General Counsel  
1551 Hillshire Drive  
Las Vegas, NV 89134-6321  
E-Mail: [george.hellstrom@ymp.gov](mailto:george.hellstrom@ymp.gov)

Robert M. Andersen  
Akerman Senterfitt LLP  
750 9<sup>th</sup> N.W., Suite 750  
Washington, DC 20001  
E-mail: [robert.andersen@akerman.com](mailto:robert.andersen@akerman.com)

Frank A. Putzu  
Naval Sea Systems Command Nuclear  
Propulsion Program  
1333 Isaac Hull Avenue, S.E.  
Washington Navy Yard, Building 197  
Washington, DC 20376  
E-mail: [frank.putzu@navy.mil](mailto:frank.putzu@navy.mil)

John M. Peebles  
Darcie L. Houck  
Fredericks Peebles & Morgan LLP  
1001 Second Street  
Sacramento, CA 95814  
E-mail: [jpeebles@ndnlaw.com](mailto:jpeebles@ndnlaw.com)  
[dhouck@ndnlaw.com](mailto:dhouck@ndnlaw.com)

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

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

David A. Repka  
William A. Horin  
Rachel Miras-Wilson  
Winston & Strawn LLP  
1700 K Street N.W.  
Washington, DC 20006  
E-mail: [drepka@winston.com](mailto:drepka@winston.com)  
[whorin@winston.com](mailto:whorin@winston.com)  
[rwilson@winston.com](mailto:rwilson@winston.com)

Jay E. Silberg  
Timothy J.V. Walsh  
Pillsbury Winthrop Shaw Pittman LLP  
2300 N Street, N.W.  
Washington, DC 20037-1122  
E-mail: [jay.silberg@pillsburylaw.com](mailto:jay.silberg@pillsburylaw.com)  
[timothy.walsh@pillsburylaw.com](mailto:timothy.walsh@pillsburylaw.com)

Gregory L. James  
712 Owens Gorge Road  
HC 79, Box 11  
Mammoth Lakes, California 93546  
Email: [gljames@earthlink.net](mailto:gljames@earthlink.net)

Arthur J. Harrington  
Godfrey & Kahn, S.C.  
780 N. Water Street  
Milwaukee, WI 53202  
E-mail: [aharring@gklaw.com](mailto:aharring@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](mailto:sheinzen@gklaw.com)  
[dpoland@gklaw.com](mailto:dpoland@gklaw.com)  
[hrenfro@gklaw.com](mailto: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](mailto:rlist@armstrongteasdale.com)  
[jgores@armstrongteasdale.com](mailto:jgores@armstrongteasdale.com)

Diane Curran  
Harmon, Curran, Spielberg, & Eisenberg,  
L.L.P.  
1726 M Street N.W., Suite 600  
Washington, DC 20036  
E-mail: [dcurran@harmoncurran.com](mailto:dcurran@harmoncurran.com)

Ian Zabarte, Board Member  
Native Community Action Council  
P.O. Box 140  
Baker, NV 89311  
E-mail: [mrizabarte@gmail.com](mailto:mrizabarte@gmail.com)

Richard Sears  
District Attorney No. 5489  
White Pine County District Attorney's Office  
311 Murry Street  
Ely, NV 89301  
E-mail: [rwsears@me.com](mailto:rwsears@me.com)

Donald P. Irwin  
Michael R. Shebelskie  
Kelly L. Faglioni  
Hunton & Williams LLP  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, VA 23219-4074  
E-mail: [dirwin@hunton.com](mailto:dirwin@hunton.com)  
[mshebelskie@hunton.com](mailto:mshebelskie@hunton.com)  
[kfaglioni@hunton.com](mailto:kfaglioni@hunton.com)

Curtis G. Berkey  
Scott W. Williams  
Rovianne A. Leigh  
Alexander, Berkey, Williams, & Weathers  
LLP  
2030 Addison Street, Suite 410  
Berkley, CA 94704  
E-mail: [cberkey@abwwlaw.com](mailto:cberkey@abwwlaw.com)  
[swilliams@abwwlaw.com](mailto:swilliams@abwwlaw.com)  
[rleigh@abwwlaw.com](mailto:rleigh@abwwlaw.com)

Bret O. Whipple  
1100 South Tenth Street  
Las Vegas, Nevada 89104  
E-mail: [bretwhipple@nomademail.com](mailto:bretwhipple@nomademail.com)

Gregory Barlow  
P.O. Box 60  
Pioche, Nevada 89043  
E-mail: [lcda@lcturbonet.com](mailto:lcda@lcturbonet.com)

Michael L. Dunning  
Andrew A. Fitz  
H. Lee Overton  
Jonathan C. Thompson  
Todd R. Bowers  
State of Washington  
Office of the Attorney General  
P.O. Box 40117  
Olympia, WA 98504-0117  
E-mail: [MichaelD@atg.wa.gov](mailto:MichaelD@atg.wa.gov)  
[AndyF@atg.wa.gov](mailto:AndyF@atg.wa.gov)  
[LeeO1@atg.wa.gov](mailto:LeeO1@atg.wa.gov)  
[JonaT@atg.wa.gov](mailto:JonaT@atg.wa.gov)  
[toddb@atg.wa.gov](mailto:toddb@atg.wa.gov)

Thomas R. Gottshall  
S. Ross Shealy  
Haynesworth Sinkler Boyd, PA  
1201 Main Street, Suite 2200  
Post Office Box 11889  
Columbia, SC 29211-1889  
E-mail: [tgottshall@hsblawfirm.com](mailto:tgottshall@hsblawfirm.com)  
[rshealy@hsblawfirm.com](mailto:rshealy@hsblawfirm.com)

Connie Simkins  
P.O. Box 1068  
Caliente, Nevada 89008  
E-mail: [jcciac@co.lincoln.nv.us](mailto:jcciac@co.lincoln.nv.us)

Kenneth P. Woodington  
Davidson & Lindemann, P.A.  
1611 Devonshire Drive  
P.O. Box 8568  
Columbia, SC 29202  
E-mail: [kwoodington@dml-law.com](mailto:kwoodington@dml-law.com)

Dr. Mike Baughman  
Intertech Services Corporation  
P.O. Box 2008  
Carson City, Nevada 89702  
E-mail: [bigboff@aol.com](mailto:bigboff@aol.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@bsqlaw.net](mailto:mberger@bsqlaw.net)  
[rshanna@bsqlaw.net](mailto:rshanna@bsqlaw.net)

Don L. Keskey  
Public Law Resource Center PLLC  
505 N. Capitol Avenue  
Lansing, MI 48933  
E-mail: [donkeskey@publiclawresourcecenter.com](mailto:donkeskey@publiclawresourcecenter.com)

Philip R. Mahowald  
Prairie Island Indian Community  
5636 Sturgeon Lake Road  
Welch, MN 55089  
E-mail: [pmahowald@piic.org](mailto: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](mailto:jramsay@naruc.org)

**/Signed (electronically) by/**

Christopher C. Hair  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop O-15D21  
Washington, DC 20555-0001  
(301) 415-2174  
E-mail: [Christopher.Hair@nrc.gov](mailto:Christopher.Hair@nrc.gov)