In the Matter of
U.S. DEPARTMENT OF ENERGY
(High Level Waste Repository)

Docket No. 63-001-HLW
ASLBP No. 09-892-HLW-CAB04
May 3, 2010

ORDER
(Scheduling Argument and Further Prehearing Conference)

The Board will hear argument and convene a further case management conference, at
the NRC Las Vegas Hearing Facility, on Thursday and Friday, June 3-4, 2010. In accordance
with our order of April 27, 2010, matters for argument and discussion will include DOE’s motion
to withdraw, the intervention requests of five new petitioners, and DOE’s plans for preserving its
LSN collection.

Among other things, the Board will have questions on the legislative history of the
Nuclear Waste Policy Act (both supporting and contrary to the position of the various parties
and potential parties concerning DOE’s motion to withdraw), the full statutory scheme of that
Act, and the rules of statutory construction that should be applied in interpreting it.
Further information concerning the argument and case management conference, as well as details concerning admission to the facility, parking and other administrative matters, will be addressed in a subsequent order.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Paul S. Ryerson
ADMINISTRATIVE JUDGE

Rockville, Maryland
May 3, 2010

1 By delegated authority, in the absence of Thomas S. Moore, Chairman.
In the Matter of  
U.S. DEPARTMENT OF ENERGY  
(High-Level Waste Repository) 
Docket No. 63-001-HLW  
ASLBP No. 09-892-HLW-CAB04 

CERTIFICATE OF SERVICE 

I hereby certify that copies of the foregoing ORDER (Scheduling Argument and Further Prehearing Conference), dated May 3, 2010, have been served upon the following persons by Electronic Information Exchange. 

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[Original Signed by Linda D. Lewis]
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