

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

ORDER

On August 13, 2013, the U.S. Court of Appeals for the District of Columbia Circuit granted a writ of mandamus against the NRC, and directed the agency to “promptly continue with the legally mandated licensing process” associated with the captioned matter.¹ Since that decision was issued, the Commission has received new filings in this proceeding.² The Commission now invites all participants in this proceeding to provide their views as to how the agency should continue with the licensing process. The participants’ views are due to the Commission by September 30, 2013.

In responding to this Order, the participants may include their responses to the Nye County and Nevada motions within their views, or they may file separate answers to the motions. The time to respond to the motions is extended accordingly, until September 30, 2013.³

¹ See generally *In re Aiken County*, No. 11-1271 (D.C. Cir. Aug. 13, 2013) (slip op. at 22).

² *Nye County’s Motion for Lifting of Suspension of Yucca Mountain Licensing Proceeding, Scheduling of Immediate Case Management Conference, and Issuance of Related Administrative Orders* (Aug. 23, 2013) (identical motions made before the Commission and the Atomic Safety and Licensing Board); *State of Nevada Motion for Commission Action Related to a Possible Restart of the Yucca Mountain Licensing Proceeding* (Aug. 23, 2013).

³ See 10 C.F.R. §§ 2.323(c), 2.1000.

This order is issued pursuant to my authority under 10 C.F.R. § 2.346(a).

IT IS SO ORDERED.

For the Commission

NRC SEAL

/RA/

Kenneth R. Hart
Acting Secretary of the Commission

Dated at Rockville, Maryland
this 30th day of August, 2013.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
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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 foregoing **ORDER OF THE SECRETARY (Soliciting Views from Participants)** dated August 30, 2013, have been served upon the following persons by Electronic Information Exchange and by e-mail. Some participants do not have current digital certificates.

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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
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