In the Matter of

Docket No. 63-001-HLW

U.S. DEPARTMENT OF ENERGY

October 28, 2010

(High Level Waste Repository)

CLARK COUNTY, NEVADA’S THIRD CERTIFICATION OF NO ADDITIONAL PARTY WITNESSES

Pursuant to Section C.1 of “CAB Case Management Order #2” (“CMO #2”) issued on September 30, 2009, Clark County, Nevada (“Clark County”) hereby submits this Third Certification of No Additional Party Witnesses. Fourteen (14) of Clark County’s contentions have been admitted to the proceeding.¹ Eleven (11) of Clark County’s admitted contentions are identified in CMO #2 and an Order issued on December 9, 2009 as being associated with Phase I discovery.² CMO #2 required the parties to identify the witnesses they intend to call at the hearing in support or defense of each contention included in Phase I discovery within 10 days of opening discovery (“Party Witnesses”).³ On October 13, 2009, Clark County identified Party

¹ See Memorandum and Order (Identifying Participants and Admitted Contentions), at Attachment A (May 11, 2009) (admitting CLK-SAFETY-002 through 011 and CLK-NEPA-001 through 003); Memorandum and Order (Addressing Contentions Filed After Initial Petitions), at 9 and 14 (December 9, 2009) (admitting CLK-SAFETY-013).
² See CAB Case Management Order #2 (September 30, 2009), at “Appendix to Case Management Order”; Memorandum and Order (December 9, 2009), at 14.
³ See CMO #2, at 5.
Witnesses associated with its Phase I discovery contentions. Clark County has subsequently submitted Certifications of No Additional Party Witnesses, in compliance with CMO #2. Clark County hereby certifies that no additional Party Witnesses have been identified since its Initial Identification of Party Witnesses on October 13, 2009.

Respectfully submitted,

/s/ filed electronically
Alan I. Robbins
Debra D. Roby
Bryce C. Loveland
Jennings, Strouss & Salmon, PLC
1350 I Street, NW, Ste. 810
Washington D.C. 20005
Telephone: (202) 464-0539
Email: ARobbins@jsslaw.com
Email: DRoby@jsslaw.com
Email: BLOveland@jsslaw.com

Attorneys for Clark County, Nevada

Dated: October 28, 2010

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4 See Clark County, Nevada’s Initial Identification of Party Witnesses (October 13, 2009).

5 See CMO #2, at 5.

6 On October 13, 2009, Clark County, the State of Nevada and Inyo County, California filed a joint proposal to consolidate certain contentions pertaining to igneous activity. The Board approved the consolidation by Order issued on December 30, 2009. See Order (Concerning Contention Consolidation and Groupings) at 2 (December 30, 2009). Pursuant to that Order and the underlying proposal, counsel for Inyo County has authorized counsel for Clark County to state that Inyo County joins in this certification of no additional Party Witnesses for INY-SAFETY-003. The State of Nevada will file its disclosure and/or certification regarding its Party Witnesses separately.
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

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 Clark County, Nevada’s Third Certification of No Additional Party Witnesses have been served on the following persons this 28th day of October, 2010, by Electronic Information Exchange.

CAB 01
William J. Froehlich, Chair
Thomas S. Moore
Richard E. Wardwell
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Email: wjf1@nrc.gov
      tsm2@nrc.gov
      rew@nrc.gov

CAB 02
Michael M. Gibson, Chair
Alan S. Rosenthal
Nicholas G. Trikouros
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Email: mmg3@nrc.gov
      axr@nrc.gov
      ngt@nrc.gov

CAB 03
Paul S. Ryerson, Chair
Michael C. Farrar
Mark O. Barnett
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Email: psr1@nrc.gov
      mcf@nrc.gov
      mob1@nrc.gov
      mark.barnett@nrc.gov

CAB 04
Thomas S. Moore, Chair
Paul S. Ryerson
Richard E. Wardwell
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Email: tsm2@nrc.gov
      psr1@nrc.gov
      rew@nrc.gov
Clark County, Nevada
Office of the District Attorney
500 S. Grand Central Parkway
Las Vegas, NV 98155
Elizabeth A. Vibert, Deputy District Attorney
Email: elizabeth.vibert@ccdanv.com
Phil Klevorick, Sr. Mgmt Analyst
Email: klevorick@co.clark.nv.us

Counsel for Lincoln County, Nevada
1100 S. Tenth Street
Las Vegas, NV 89017
Bret Whipple, Esq.
Email: baileys@lcturbonet.com or
Email: bretwhipple@nomademail.com

For Lincoln County, Nevada
Intertech Services Corporation
PO Box 2008
Carson City, NV 89702
Mike Baughman, Consultant
Email: bigboff@aol.com

Lincoln County Nuclear Oversight Program
P.O. Box 1068
Caliente, NV 89008
Connie Simkins, Coordinator
Email: jcciac@co.lincoln.nv.us

Lincoln County District Attorney
P.O. Box 60
Pioche, NV 89403
Gregory Barlow, Esq.
Email: lcda@lcturbonet.com

Counsel for Eureka County, Nevada
Harmon, Curran, Speilberg & Eisenberg, LLP
1726 M. Street N.W., Suite 600
Washington, DC 20036
Diane Curran, Esq.
Email: dcurran@harmoncurran.com
Matthew Fraser, Law Clerk
Email: mfraser@harmoncurran.com

Eureka County, Nevada
Office of the District Attorney
701 S. Main Street, Box 190
Eureka, NV 89316-0190
Theodore Beutel, District Attorney
Email: tbeutel.ecca@eurekanv.org

Nuclear Waste Advisory for Eureka County, Nevada
1983 Maison Way
Carson City, NV 89703
Abigail Johnson, Consultant
Email: eurekanrc@gmail.com

Eureka County Public Works
P.O. Box 714
Eureka, NV 89316
Ronald Damele, Director
Email: rdamele@eurekanv.org

For Eureka County, Nevada
NWOP Consulting, Inc.
1705 Wildcat Lane
Ogden, UT 84403
Loreen Pritchford, Consultant
Email: lpitchford@comcast.net

Counsel for Churchill, Esmeralda, Lander, and Mineral Counties, Nevada
Armstrong Teasdale, LLP
1975 Village Center Circle, Suite 140
Las Vegas, NV 89134-6237
Robert F. List, Esq.
Email: rlist@armstrongteasdale.com
Jennifer A. Gores, Esq.
Email: jgores@armstrongteasdale.com

White Pine County, Nevada
Office of the District Attorney
801 Clark Street, #3
Ely, NV 89301
Richard Sears, District Attorney
Email: rwsears@wpcde.org

For White Pine County, Nevada
Intertech Services Corporation
PO Box 2008
Carson City, NV 89702
Mike Baughman, Consultant
Email: bigboff@aol.com

White Pine County Nuclear Waste
Project Office
959 Campton Street
Ely, NV 89301
Mike Simon, Director
Email: wpnucwst1@wpcde.org
Counsel for Inyo County, California
Greg James, Attorney at Law
710 Autumn Leaves Circle
Bishop, CA 93514
Greg James, Esq.
Email: gljames@earthlink.net

Attorney for the County of Inyo
233 East Carrillo Street Suite B
Santa Barbara, California 93101
Michael C. Berger, Esq.
Email: mberger@bsglaw.net
Robert S. Hanna, Esq.
Email: rshanna@bsglaw.net

Inyo County Yucca Mountain Repository Assessment Office
P.O. Box 367
Independence, CA 93526-0367
Alisa M. Lembke, Project Analyst
Email: alembke@inyocounty.us

Esmeralda County Repository Oversight Program
Yucca Mountain Project
PO Box 490
Goldfield, NV 89013
Edwin Mueller, Director
Email: muellered@msn.com

California Department of Justice
Office of the Attorney General
1300 I Street
Sacramento, CA 94244-2550
Susan Durbin, Deputy Attorney General
Email: susan.durbin@doj.ca.gov
Michele Mercado, Analyst
Email: michele.mercado@doj.ca.gov

Office of the Attorney General
1515 Clay Street, 20th Floor
P.O. Box 70550
Oakland, CA 94612-0550
Timothy E. Sullivan, Deputy Attorney General
Email: timothy.Sullivan@doj.ca.gov

California Department of Justice
300 S. Spring Street, Suite 1702
Los Angeles, CA 90013
Brian Hembacher, Deputy Attorney General
Email: brian.hembacher@doj.ca.gov

California Energy Commission
1516 Ninth Street
Sacramento, CA 95814
Kevin W. Bell, Senior Staff Counsel
Email: kwb@energy.state.ca.us

Nuclear Energy Institute
Office of the General Counsel
1776 I Street, NW Suite 400
Washington, DC 20006-3708
Ellen C. Ginsberg, General Counsel
Email: ecg@nei.org
Michael A. Bauser, Deputy General Counsel
Email: mab@nei.org
Anne W. Cottingham, Esq.
Email: awc@nei.org

Counsel for the Nuclear Energy Institute
Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, N.W.
Washington, DC 20037-1122
Jay E. Silberg, Esq.
Email: jay.silberg@pillsburylaw.com
Timothy J.V. Walsh, Esq.
Email: timothy.walsh@pillsburylaw.com
Maria D. Webb, Senior Energy Legal Analyst
Email: maria.webb@pillsburylaw.com

Counsel for the Nuclear Energy Institute
Winston & Strawn LLP
1700 K Street, N.W.
Washington, DC 20006-3817
David A. Repka, Esq.
Email: drepka@winston.com
William A. Horin, Esq.
Email: whorin@winston.com
Rachel Miras-Wilson
Email: rwilson@winston.com
Carlos L. Sisco, Senior Paralegal
Email: csisco@winston.com
Native Community Action Council
P.O. Box 140
Baker, NV 89311
Ian Zabarte, Member of Board of Directors
Email: mrizabarte@gmail.com

Counsel for the Native Community Action Council
Alexander, Berkey, Williams & Weathers LLP
2030 Addison Street, Suite 410
Berkeley, CA 94704
Curtis G. Berkey, Esq.
Email: cberkey@abwwlaw.com
Rovianne A. Leigh, Esq.
Email: rleigh@abwwlaw.com
Scott W. Williams, Esq.
Email: swilliams@abwwlaw.com

Counsel for Timbisha Shoshone Tribe
Fredericks, Peebles, & Morgan LLP
1001 Second St.
Sacramento, CA 95814
Darcie L. Houck, Esq.
Email: dhouch@ndlaw.com
John M. Peebles, Esq.
Email: jpeebles@ndlaw.com

Timbisha Shoshone Yucca Mountain Oversight Program Non-Profit Corporation
3560 Savoy Boulevard
Pahrump, NV 89061
Joe Kennedy, Member of Board of Directors and Executive Director
Email: joekennedy08@live.com
Tameka Vazquez, Bookkeeper
Email: purpose_driven12@yahoo.com

Counsel for Timbisha Shoshone Yucca Mountain Oversight Program Non-Profit Corporation
Godfrey & Kahn, S.C.
One East Main Street, Suite 500
P.O. Box 2719
Madison, WI 53701-2719
Douglas M. Poland, Esq.
Email: dpoland@gklaw.com
Steven A. Heinzen, Esq.
Email: sheinzen@gklaw.com
Hannah L. Renfro, Esq.
Email: hrenfro@gklaw.com
Jacqueline Schwartz, Paralegal
Email: jschwartz@gklaw.com
Julie Dobie, Legal Secretary
Email: jdobie@gklaw.com

Counsel for Timbisha Shoshone Yucca Mountain Oversight Program Non-Profit Corporation
Godfrey & Kahn, S.C.
780 N Water Street
Milwaukee, WI 53202
Arthur G. Harrington, Esq.
Email: aharrington@gklaw.com

Counsel for State of South Carolina
Davidson & Lindemann, P.A.
1611 Devonshire Drive, 2nd Floor
P.O. Box 8568
Columbia, SC 29202
William H. Davidson, II
Email: wdavidson@dml-law.com
Kenneth P. Woodington
Email: kwoodington@dml-law.com

Counsel for State of Washington
State of Washington
Office of the Attorney General
P.O. Box 40117
Olympia, WA 98504-0117
Michael L. Dunning
Assistant Attorney General
Email: MichaelD@atg.wa.gov
H. Lee Overton
Assistant Attorney General
Email: LeeO1@atg.wa.gov
Jonathan C. Thompson
Assistant Attorney General
Email: JonaT@atg.wa.gov
Todd R. Bowers
Senior Counsel
Email: toddb@atg.wa.gov
Diana MacDonald
Legal Assistant
Email: dianam@atg.wa.gov

Counsel for Aiken County, South Carolina
Haynesworth Sinkler Boyd, PA
1201 Main Street, Suite 2200
P.O. Box 11889
Columbia, SC 29211-1889
Thomas R. Gottshall, Esq.
Email: tgotshall@hsblawfirm.com
S. Ross Shealy
Email: rshealy@hsblawfirm.com
Counsel for National Association of Regulatory Utility Commissioners
1101 Vermont Avenue NW, Suite 200
Washington, DC 20005
James Bradford Ramsey, General Counsel
Email: jramsay@naruc.org
Robin J. Lunt, Associate General Counsel
Email: rlunt@naruc.org
Deana M. Dennis, Legal Assistant
Email: ddennis@naruc.org

Counsel for Prairie Island Indian Community
5636 Sturgeon Lake Road
Welch, MI 55089
Philip R. Mahowald, General Counsel
Email: pmahowald@piic.org

/s/ filed electronically
Alan I. Robbins
Debra D. Roby
Bryce C. Loveland
Jennings, Strouss & Salmon, PLC
1350 I Street, NW, Suite 810
Washington, D.C. 20005-3305
Tel: (202) 464-0539
Email: ARobbins@jsslaw.com
Email: DRoby@jsslaw.com
Email: BLoveland@jsslaw.com

Attorneys for Clark County, Nevada

Dated: October 28, 2010