

United States Of America Nuclear Regulatory Commission
Atomic Safety And Licensing Board

Before Administrative Judges:
Thomas S. Moore, Chairman
Paul S. Ryerson
Richard E. Wardwell

In the Matter of) Docket No. 63-001-HLW
) ASLBP No. 09-892-HLW-CAB04
U.S. DEPARTMENT OF ENERGY)
High-Level Waste Repository) January 21, 2010

**RESPONSE OF THE FOUR NEVADA COUNTIES OF CHURCHILL, ESMERALDA, LANDER
AND MINERAL TO THE DECEMBER 22, 2009 BOARD ORDER**

Pursuant to the Board's December 22, 2009 Order (Concerning LSNA Memorandum), the Four Nevada Counties of Churchill, Esmeralda, Lander and Mineral offer the following comments regarding its Licensing Support Network document collection should DOE withdraw or suspend the Application.

The Four Nevada Counties currently do not have any provisions or plans in place for managing its LSN document collection if the Application is withdrawn or suspended. The Four Nevada Counties have not allocated any of its 2010 budget for potential, future archiving or administration maintenance costs of the LSN document collection in the event of a suspension or withdraw of the Application. The Four Counties rely on annual Congressional appropriations in order to comply with LSN requirements, which include covering costs to monitor, costs for a web server, and software needs. Without annual funding, these costs will impose a heavy burden on the limited financial resources of the Four Counties. Guidance from the Board with respect to the predicted LSN related requirements on individual parties, especially with respect to document retention and LSN collection maintenance requirements, should the Application be withdrawn or suspended, would be extremely helpful in ensuring that the Four Counties allocate their resources in a manner that allows for full compliance with future Board orders.

Respectfully submitted,

(electronically signed)

Dated in Las Vegas, Nevada
This 21st day of January, 2010

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE PRE-LICENSE APPLICATION PRESIDING OFFICER BOARD

In the Matter of) Docket No. 63-001
U. S. DEPARTMENT OF ENERGY) ASLBP Nos. 09-892-HLW-CAB04
)
)
(High-Level Waste Repository:)
Pre-Application Matters) January 21, 2010

CERTIFICATE OF SERVICE

I hereby certify that copies of the RESPONSE OF THE NEVADA COUNTIES OF CHURCHILL, ESMERALDA, LANDER AND MINERAL TO THE DECEMBER 22, 2009 BOARD ORDER in the above-captioned proceeding have been served on the following Persons this 21st day of January, 2010, by Electronic Information Exchange.

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