

September 10, 2004

Mr. Robert R. Loux, Executive Director
Agency for Nuclear Projects
Office of the Governor
State of Nevada
1761 E. College Parkway, Suite 118
Carson City, NV 89706

SUBJECT: SECURITY CLEARANCES FOR ACCESS TO CLASSIFIED INFORMATION
RELATED TO THE YUCCA MOUNTAIN REPOSITORY LICENSING
PROCEEDING

Dear Mr. Loux:

Your letter, dated May 13, 2004, requested information about the steps you must take to initiate the security clearance process to provide Nevada's representatives in the licensing proceeding with access to classified information. We are prepared to begin the processing of security clearances.

First, please provide David Dancer, U.S. Nuclear Regulatory Commission (NRC), Division of High-Level Waste Repository Safety, with the names of individuals for whom you are requesting security clearances. The NRC staff will provide the necessary forms and instructions to begin the clearance process for these individuals. In addition, the NRC staff is prepared to meet with Nevada officials to discuss the clearance process, including how to properly complete the required security packet, the standards for clearance eligibility, and the fees for starting the clearance process.

Please be aware, however, that in addition to obtaining security clearances, there are two more steps you will need to take to obtain access to specific classified information. You must establish a demonstrable need-to-know regarding that specific information. The NRC staff's decision regarding your need-to-know will be based on a determination of what information is indispensable to your representatives, and whether they are qualified and possess technical expertise to evaluate the information requested. You then must tender completed nondisclosure agreements.

R. Loux

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To the extent classified information relevant to the license application originated with some other government agency, NRC must first obtain that government agency's consent before granting access to the information to any Nevada representative.

If you have any questions, please contact Mr. Dancer at 301-415-6618, or by email at dmd@nrc.gov.

Sincerely,

/RA/

Thomas O. Martin, Director
Division of Facilities and Security
Office of Administration

cc: See attached list

Letter to R. Loux from T. Martin, dated: September 10, 2004

cc:

A. Kalt, Churchill County, NV	A. Elzeftawy, Las Vegas Paiute Tribe
R. Massey, Churchill/Lander County, NV	J. Treichel, Nuclear Waste Task Force
I. Navis, Clark County, NV	W. Briggs, Ross, Dixon & Bell
E. von Tiesenhausen, Clark County, NV	M. Chu, DOE/Washington, D.C.
G. McCorkell, Esmeralda County, NV	G. Runkle, DOE/Washington, D.C.
R. Damele, Eureka County, NV	C. Einberg, DOE/Washington, D.C.
A. Johnson, Eureka County, NV	S. Gomberg, DOE/Washington, D.C.
A. Remus, Inyo County, CA	W. J. Arthur, III , DOE/ORD
M. Yarbro, Lander County, NV	R. Dyer, DOE/ORD
S. Hafen, Lincoln County, NV	J. Ziegler, DOE/ORD
M. Baughman, Lincoln County, NV	A. Gil, DOE/ORD
L. Mathias, Mineral County, NV	W. Boyle, DOE/ORD
L. Bradshaw, Nye County, NV	D. Brown, DOE/OCRWM
M. Maher, Nye County, NV	S. Mellington, DOE/ORD
D. Hammermeister, Nye County, NV	C. Hanlon, DOE/ORD
M. Simon, White Pine County, NV	T. Gunter, DOE/ORD
J. Ray, NV Congressional Delegation	A. Benson, DOE/ORD
B. J. Gerber, NV Congressional Delegation	N. Hunemuller, DOE/ORD
F. Roberson, NV Congressional Delegation	M. Mason, BSC
T. Story, NV Congressional Delegation	S. Cereghino, BSC
R. Herbert, NV Congressional Delegation	N. Williams, BSC
L. Hunsaker, NV Congressional Delegation	E. Mueller, BSC
S. Joya, NV Congressional Delegation	J. Mitchell, BSC
K. Kirkeby, NV Congressional Delegation	D. Beckman, BSC/B&A
R. Loux, State of NV	M. Voegele, BSC/SAID
S. Frishman, State of NV	B. Helmer, Timbisha Shoshone Tribe
S. Lynch, State of NV	R. Boland, Timbisha Shoshone Tribe
P. Guinan, Legislative Counsel Bureau	R. Arnold, Pahrump Paiute Tribe
J. Pegues, City of Las Vegas, NV	J. Birchim, Yomba Shoshone Tribe
M. Murphy, Nye County, NV	R. Holden, NCAE

cc: (Continued)

R. Clark, EPA

R. Anderson, NEI

R. McCullum, NEI

S. Kraft, NEI

J. Kessler, EPRI

D. Duncan, USGS

R. Craig, USGS

W. Booth, Engineering Svcs, LTD

L. Lehman, T-Reg, Inc.

S. Echols, Esq

C. Marden, BNFL, Inc.

J. Bacoeh, Big Pine Paiute Tribe of the
*Owens Valley

P. Thompson, Duckwater Shoshone Tribe

T. Kingham, GAO

D. Feehan, GAO

E. Hiruo, Platts Nuclear Publications

G. Hernandez, Las Vegas Paiute Tribe

K. Finrock, NV Congressional Delegation

P. Johnson, Citizen Alert

A. Capoferri, DOE/ Washington, DC

J. Williams, DOE/Washington, DC

A. Robinson, Robinson-Seidler

M. Dayton, City of Las Vegas

D. Wilson, Sen. Reid's Office

C. Meyers, Moapa Paiute Indian Tribe

R. Wilder, Fort Independence Indian Tribe

D. Vega, Bishop Paiute Indian Tribe

J. Egan, Egan, Fitzpatrick & Malsch, PLLC

J. Leeds, Las Vegas Indian Center

J. C. Saulque, Benton Paiute Indian Tribe

C. Bradley, Kaibab Band of Southern Paiutes

R. Joseph, Lone Pine Paiute-Shoshone Tribe

L. Tom, Paiute Indian Tribes of Utah

E. Smith, Chemehuevi Indian Tribe

D. Buckner, Ely Shoshone Tribe

V. Guzman, Walker River Paiute

D. Eddy, Jr., Colorado River Indian Tribes

H. Jackson, Public Citizen

J. Wells, Western Shoshone National
Council

D. Crawford, Inter-Tribal Council of NV

I. Zabarte, Western Shoshone National
Council

S. Devlin

G. Hudlow

D. Irwin, Hunton & Williams

L. Alfano, Lincoln County

M. Henderson, Cong. J. Gibbon's Office

B. Vonderheide, Cong. J. Gibbon's Office

D. Duquette, NWTRB

R. Loux

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Sincerely,

/RA/

Thomas O. Martin, Director
Division of Facilities and Security
Office of Administration

cc: See attached list

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OFC	TechEd	NMSS	EDO	ADM
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