

John A. Chachas, Commissioner
Paul Johnson, Commissioner
Johnnie W. (Jack) Norcross, Commissioner
Gary Perea, Commissioner
David E. Provost, Commissioner
Donna M. Bath, Ex-Officio Clerk of the Board

Courthouse Annex
801 Clark Street, Suite #4
Ely, Nevada 89301
(775) 289-2341
Fax (775) 289-2544

White Pine County Board of County Commissioners

September 22, 2004

CERTIFIED –

Ms. Annette L. Vietti-Cook
Secretary
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Subject: White Pine County, Nevada Initial Certification of Compliance with Licensing Support Network (LSN) Requirements

Dear Ms. Vietti-Cook:

Enclosed are an original and two copies of the initial LSN certification by White Pine County, with supporting exhibits, pursuant to CFR 2.1009, that procedures have been implemented and documentary material is available, in connection with DOE's License Application for authorization to construct a high-level radioactive waste repository at Yucca Mountain, Nevada. An electronic copy of the initial certification and exhibits are on the enclosed compact disk for NRC's convenience.

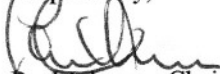
The documentary material that White Pine County is making available can be publicly accessed through White Pine County's participant server, which is linked to the LSN central server and the website for the White Pine County Nuclear Oversight Office. White Pine County also has been providing the LSN Administrator with access to the documentary material for "crawling" pursuant to the LSN Administrator's guidelines.

White Pine County hereby designates Mrs. Donna Bath, White Pine County Clerk as the Responsible Official for the LSN per 10 CFR 2.1009(a)(1). Mrs. Donna Bath may be contact at (775) 289-2341.

White Pine County will supplement its production as additional documentary material is identified per CFR 2.1009(e)(4).

Thank you for your consideration. If you have any questions concerning the enclosed materials, please contact me at (775) 289-2341 or Mr. Mike Simon, of my staff, at (775) 289-2033.

Respectfully,



Paul Johnson, Chairman
Board of White Pine County Commissioners

SWH/lra/Enclosures:

1. Initial Certification by White Pine County (3 copies)
2. Compact Disk (Initial Certification with Exhibits)

R. R. Loux, State of Nevada, Carson City, NV
Pat Guinan, State of Nevada, Carson City, NV
Alan Kalt, Churchill County, Fallon, NV
Irene Navis, Clark County, Las Vegas, NV
George McCorkell, Esmeralda County, Goldfield, NV
Leonard Fiorenzi, Eureka County, Eureka, NV
Michael King, Inyo County, Edmonds, WA
Andrew Remus, Inyo County, Independence, CA
Mickey Yarbrow, Lander County, Battle Mountain, NV
Linda Mathias, Mineral County, Hawthorne, NV
L.W. Bradshaw, Nye County, Pahrump, NV
Lea Rasura-Alfano, Lincoln County, Pioche, NV

White Pine County LSN Procedures and Certifications

Submitted by:
White Pine County Commissioners
Sept. 22, 2004

1. BACKGROUND

Pursuant to the Nuclear Waste Policy Act of 1982 and the ensuing site recommendation approvals by the President and Congress, the U.S. Department of Energy (DOE) intends to apply for a license from the U.S. Nuclear Regulatory Commission (NRC) to construct a geologic repository for the storage of high-level radioactive waste at Yucca Mountain, Nevada. The Office of Civilian Radioactive Waste Management (OCRWM) is currently preparing a license application (LA) that will be submitted to the NRC. NRC regulation 10 CFR 2.1003 requires the DOE to make available in advance of submitting its LA certain basic licensing documents as well as "documentary material" in connection with the Licensing Support Network (LSN). White Pine County as an interested government participant must certify no later than 90 days after the DOE certification of compliance under 10 CFR 2.1009(b). Additionally, a White Pine County designated official must certify, in accordance with 10 CFR 2.1009(b), that the County has established and implemented procedures to meet the requirements of 10 CFR 2.1003, and that, to the best of the official's knowledge, the documentary material specified in 10 CFR 2.1003 has been identified and made electronically available.

2. PURPOSE

The purpose of this document is to set forth the basis for the initial certification that (1) White Pine County established procedures to implement the requirements in 10 CFR 2.1003, and (2) to the best of the certifying official's knowledge, the documentary material specified in 10 CFR 2.1003 has been identified and made electronically available.

3. CERTIFICATION REQUIREMENTS

In accordance with § 2.1003(a)(1), each participant must designate an official who will be responsible for administering their LSN responsibilities. The Responsible Official must certify to the Pre-License Application Presiding Officer that:

- the procedures (specified in § 2.1009(a)(2)) created by the participant to implement the requirements of § 2.1003 ("Availability of Material") have been implemented; and,
- to the best of his or her knowledge, the documentary material specified in § 2.1003 has been identified and made electronically available.

An initial certification of compliance must be made at the time that each participant's documentary material is made available under § 2.1003.

- For DOE, this is at least six months in advance of submission of the DOE license application for a high-level radioactive waste repository. The Responsible Official for the DOE must also update this certification at the time of submission of the license application.
- For the NRC, initial certification must occur no later than thirty days after the DOE initial certification.
- *For all other participants, initial certification must occur no later than ninety days after the DOE initial certification.*

4. WHITE PINE COUNTY'S PROCEDURES TO IMPLEMENT THE

As described below, White Pine County established procedures to identify, collect, and process documents that might be potentially relevant to the Yucca Mountain proceeding. White Pine County established additional procedures to identify and make electronically available from those documents, for purposes of its initial certification, the documents that comprise the documentary material called for under 10 CFR 2.1003.

4.1 IDENTIFICATION AND COLLECTION OF DOCUMENTS

White Pine County, aided by its support contractors, identified and collected potentially relevant documents in accordance with 10 CFR 2.1003. As a Result of those efforts, the following collections of documents were identified. The documents in these various collections are, to a certain extent, duplicative:

- **The White Pine County Nuclear Oversight Project Sponsored Reports** - Utilizing funding provided by DOE pursuant to Section 116 (c) of the Nuclear Waste Policy Act, as amended, the White Pine County Nuclear Waste Project Office (WPCNWPO) has overseen the preparation of over 50 reports documenting repository system implications for White Pine County. Topics addressed within these studies include emergency response, transportation routing, economic/demographic, impact assessment, transportation risk assessment, tourism impact assessment, and fiscal impact assessment, among others. The numerous studies sponsored by the County have utilized teams of highly trained and competent researchers representing both academic and private entities. The extensive information base represented by these studies has been thoroughly utilized by the County in responding to continuing activities by DOE to plan for the transportation of SNF/HLW through White Pine County and the disposal of said nuclear waste at the Yucca Mountain repository site.
- **Paper collection**-This collection consists of the paper documents identified by the County's support contractors as possible LSN related literature from general county and WPCNWPO sources.
- **E-file collection**-This collection consists of documents on electronic media archived from 1992 to present and identified by the support contractors as possible LSN related literature from general county and WPCNWPO sources.
- **Emails**-This collection consists of emails that were authored or received by current and former White Pine County personnel and support contractors.

4.2 PROCESSING OF DOCUMENTS

At the direction of White Pine County, WPCNWPO and its support contractors processed the documents from the foregoing collections that were submitted to it as of August 5, 2004 according to the standards outlined in 10.CFR 2.1003 and 10 CFR 2.1009.

White Pine County created electronic images and searchable full text of submitted documents (when appropriate) as well as bibliographic headers for the documents consistent with the LSN regulations. White Pine County and NRC also conducted numerous compliance assurance reviews with the LSN staff.

5. BASIS FOR INITIAL CERTIFICATION

The procedures referenced above, provide the basis for the White Pine County certifying official to certify that (1) White Pine County has implemented procedures required by 10CFR2.1009(a)(2), and (2) to the best of the certifying official's knowledge, certain basic licensing documents as well as the three categories of documentary material specified in 10 CFR 2.1003 and submitted to White Pine County, have been identified and made electronically available. These procedures create a reasonable basis for that belief because:

- The implementation of these procedures has resulted in dozens of documents and reports being added to the County's LSN site with its own unique document identifier (10 CFR 2.1009)
- The LSN portal has been able to access these documents with respect to their individual header information
- And finally, White Pine County was one of the first entities to be listed on the LSN portal and has worked exhaustively with NRC staff and support contractors to assure compliance.

6. PROCEDURES FOR SUPPLEMENTAL PRODUCTIONS AND UPDATED CERTIFICATION

White Pine County's collection, processing, and review efforts will continue for documents identified after August 5, 2004. Any documentary material identified as a result of those efforts will be made available as required by LSN regulations per 10 CFR 2.1003

APPENDIX A

INITIAL CERTIFICATION BY WHITE PINE COUNTY CERTIFYING OFFICIAL

Based on the procedures referenced in the White Pine County LSN Certification Plan for Initial Certification, I certify that (i) White Pine County has implemented procedures as required by 10 CFR 2.1009(a)(2) and (ii) to the best of my knowledge, the documentary material specified in 10 CFR 2.1003 has been identified from those documents submitted and made electronically available. Pursuant to the LSN regulations, White Pine County will provide additional documentary material that it may hereafter identify.



Signature

Paul Johnson

Printed Name

Chairman

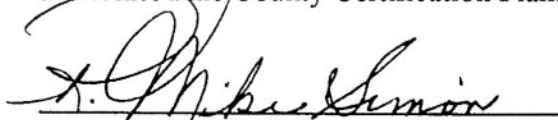
Title

9/22/04

Date


**NOTIFICATION TO Intertech Services Corporation
TO MAKE DOCUMENTS ELECTRONICALLY
AVAILABLE**

As provided in 10 CFR 2.1009 White Pine County the hereby directs Intertech Services Corporation to make electronically available to the U. S. Nuclear Regulatory Commission and on the World Wide Web the documents identified in Section 4.1 of the White Pine County Certification Plan.


Signature


Printed Name


Title


Date

Intertech Services Corporation

(Support Contractor)

CERTIFICATION OF ELECTRONIC AVAILABILITY

Pursuant to the direction of the White Pine County Certifying Official, I hereby certify that the documents identified in Section 4.1 of the White Pine County Certification Plan for Initial Certification were submitted to White Pine County on 9/17/04 (date).



Signature

Mike Baughman

Printed Name

President

Title

9/19/04

Date

Core-Geo Data

(Support Contractor)

CERTIFICATION OF ELECTRONIC AVAILABILITY

Pursuant to the direction of the White Pine County Certifying Official, I hereby certify that the documents identified in Section 4.1 of the White Pine County Certification Plan for Initial Certification were submitted to White Pine County on 9-21-04 (date).



Signature

Jason Pitts

Printed Name

Mg. Director

Title

9-21-04

Date

**NOTIFICATION TO Core-Geo Data MAKE
DOCUMENTS ELECTRONICALLY AVAILABLE**

As provided in 10 CFR 2.1009 White Pine County the hereby directs Core-Geo Data to make electronically available to the U. S. Nuclear Regulatory Commission and on the World Wide Web the documents identified in Section 4.1 of the White Pine County Certification Plan.


Signature

R. MIKE SIMON
Printed Name

DIRECTOR
Title

09/20/04
Date