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August 24, 2005

ATTN: Document Control Desk
Director, Division of High-Level Waste
Repository Safety
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville MD 20852-2378

U.S. DEPARTMENT OF ENERGY (DOE) OFFICE OF REPOSITORY DEVELOPMENT
(ORD) REQUEST FOR SPECIFIC U.S. NUCLEAR REGULATORY COMMISSION (NRC)
REPORTS

References:

- (1) Ltr, Director, Division of High-Level Waste Repository Safety (NRC), dtd 5/26/05 (DOE ORD Request for Specific NRC Reports)
- (2) Ltr, Reamer to Ziegler, dtd 7/11/05 (Additional Information Needed to Support Report Request)
- (3) (1) Ltr, Ziegler to Document Control Desk, dtd 8/15/05 (Responding to Request)

On August 15, 2005 DOE responded to NRC's request for additional information to support a "need to know" determination for DOE access to certain Safeguards Information relating to aircraft hazards in the Private Fuels Storage case. As we read the DOE's response, there is no claim that access is essential to support a DOE license application. Instead, DOE claims that the information it requests would be of interest and useful. The State of Nevada does not object to giving DOE the requested information, but with the understanding that this "need to know" determination would establish a precedent that would be applicable to Nevada as well,

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that is, Nevada would have a “need to know” all information that would be relevant, of interest, and useful in preparing or presenting its case.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Loux", with a long, sweeping flourish extending to the right.

Robert R. Loux
Executive Director

RRL:cs