

January 17, 2008

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE PRE-LICENSE APPLICATION PRESIDING OFFICER

In the Matter of)	
)	
U.S. DEPARTMENT OF ENERGY)	Docket No. PAPO-00
)	
(High-Level Waste Repository: Pre-Application Matters))	ASLB No. 04-829-01-PAPO
)	

**EUREKA COUNTY'S NOTICE REGARDING
SUBMISSION OF PRIMARY PRIVILEGE LOG**

Pursuant to the Pre-Application Presiding Officer's ("PAPO's") Revised Second Case Management Order of July 6, 2007, Eureka County hereby submits the attached Primary Privilege Log. The Primary Privilege Log provides is a list of documents that constitute documentary material under 10 C.F.R. § 2.1001 but for which Eureka County claims the attorney-client privilege and the attorney work-product privilege under 10 C.F.R. § 2.1006.

For all of the listed documents, the relationship between the author and the recipient(s) is the attorney-client relationship and the primary purpose of the document was to provide legal analysis and advice. All of these documents were created and subsequently handled and maintained under procedures or practices that preserve the confidentiality of the documents.

At this time, Eureka County does not possess documents that would be subject to a secondary privilege.

Respectfully submitted,

/s/Diane Curran

Diane Curran

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(High-Level Waste Repository:)	
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_____)	

CERTIFICATE OF SERVICE

Pursuant to the Atomic Safety and Licensing Board's July 9, 2004, Initial Pre-License Application Phase Order, as modified by the Second Case Management Order of July 8, 2005, I certify that on January 2, 2008, the foregoing EUREKA COUNTY'S NOTICE REGARDING SUBMISSION OF PRIMARY PRIVILEGE LOG was served on the parties to this proceeding by submitting it electronically to the NRC adjudicatory Electronic Information Exchange.

s/Diane Curran
Diane Curran