



**Nye County**  
**Nuclear Waste Repository Project Office**  
1210 E. Basin Rd. Ste. #6 • Pahrump, Nevada 89060  
(775) 727-7727 • Fax (775) 727-7919

08-126-DL (L)

June 18, 2008

James Rubenstone, Chief  
Project Management Branch A  
Division of High-Level Waste Repository Safety  
U.S. Nuclear Regulatory Commission (NRC)  
6003 Executive Blvd.  
Rockville, MD 20852-2738

**Requesting Access to Security Sensitive Information**

Dear Mr. Rubenstone:

This letter is requesting access to security sensitive information with regards to Nye County's participation in the NRC licensing process for a proposed high-level waste repository at Yucca Mountain.

Currently, Nye County is requesting a total of eight (8) representatives requiring access to sensitive unclassified information, and of the eight (8) representatives, five (5) will require access to classified information with regards to Naval Nuclear Propulsion Program (NNPP). A list of representatives is as follows:

**Sensitive Unclassified & Classified Information**

Robert Andersen – Nye County Legal Consultant  
Robert Gamble – Nye County On-Site Representative  
Casmier Jaszczak – Nye County Consultant  
Jeffrey VanNiel – Nye County Legal Consultant  
Joseph Ziegler – Nye County Consultant

**Sensitive Unclassified Information**

Levi Kryder – Nye County Geoscience Manager  
Lewis D. Lacy Jr. – Nye County Director – Nuclear Waste Repository Project Office  
Richard Nelson – Nye County Consultant

Should you require more information, or have any questions, please call me at 775-727-7727 ext. 22.  
Thank you for your help with this matter.

Respectfully,  
NYE COUNTY, NEVADA

Lewis D. Lacy Jr., Director  
Nuclear Waste Repository Project Office

DL/zc

Enclosure: Nye County Resolution 2007-48

1 **NYE COUNTY RESOLUTION NO. 2007- 48**

2  
3 **A RESOLUTION OF THE NYE COUNTY BOARD OF COMMISSIONERS DELEGATING**  
4 **AUTHORITY TO THE DIRECTOR OF THE NYE COUNTY NUCLEAR WASTE REPOSITORY**  
5 **PROJECT OFFICE TO TAKE ALL STEPS NECESSARY TO THE COUNTY'S PARTICIPATION**  
6 **AS A PARTY IN THE YUCCA MOUNTAIN LICENSING PROCEEDINGS**

7 **WHEREAS, the County of Nye, Nevada, is an "Affected Unit of Local Government" under the**  
8 **Nuclear Waste Policy Act of 1987, as amended (NWPB) ; and**

9 **WHEREAS, Nye County has been conducting aggressive oversight and independent scientific**  
10 **investigations programs under the authority of the NWPB since 1988; and**

11 **WHEREAS, its status under the NWPB allows the County to participate as a party in the**  
12 **licensing proceedings before the U.S. Nuclear Regulatory Commission regarding the prospective**  
13 **application by the U.S. Department of Energy for construction and operation of a nuclear waste**  
14 **repository at Yucca Mountain, Nevada; and**

15 **WHEREAS, The Nye County Board of County Commissioners has resolved that Nye County**  
16 **will actively and constructively engage in the design, licensing and implementation process and Nye**  
17 **County has conducted its oversight and independent scientific investigations programs since the onset of**  
18 **the Yucca Mountain program in anticipation of participating as a full party to the Yucca Mountain**  
19 **licensing proceedings and intends to do so now that the Licensing Application proceeding is imminent;**  
20 **and**

21 **WHEREAS, under the Nuclear Regulatory Commission Rules of Practice for Domestic**  
22 **Licensing Proceedings, 10 CFR Part 2, Nye County must appear formally before the NRC in order to**  
23 **participate as a party to the Yucca Mountain proceedings, and must be represented by a licensed**  
24 **attorney in order to do so; and**

25 **WHEREAS, the Nye County Nuclear Waste Repository Project Office (NWRPO) and the**  
**Regulatory and Licensing Advisors to the NWRPO are the designated representatives of Nye County for**

1 Yucca Mountain activities and have been preparing to participate as parties on behalf of Nye County;  
2 and

3 WHEREAS, it is in the interests of Nye County, and essential to its ability to protect the health,  
4 safety and welfare of the citizens of Nye County that the County and its representatives be qualified to  
5 participate as a party in the Yucca Mountain licensing proceedings; and

6 WHEREAS, as with all litigation, decisions and actions regarding Nye County's involvement in  
7 the Yucca Mountain licensing proceedings will be necessary, and these decisions and actions may be  
8 needed when there is insufficient time to call a meeting of the Nye County Board of County  
9 Commissioners;

10 NOW, THEREFORE, BE IT RESOLVED, that the Nye County Board of County  
11 Commissioners grants to the Director of the Nye County Nuclear Waste Repository Project Office, and  
12 the NWRPO Regulatory and Licensing Advisors acting under the direction of the NWRPO Director,  
13 authority to appear before the U.S. Nuclear Regulatory Commission and to take all actions necessary  
14 and advisable, consistent with policies adopted by the Nye County Board of County Commissioners, to  
15 effectuate Nye County's rights and intention to participate fully as a party to the Yucca Mountain  
16 licensing proceedings.

17 APPROVED this 18<sup>th</sup> day of December 2007.

19 NYE COUNTY BOARD OF  
20 COUNTY COMMISSIONERS:

ATTEST:

21 R. L. Carver for 12/19/07  
22 Gary Hollis, Chairperson

23 Sandra L. Merlino Deputy  
24 Sandra "Sam" L. Merlino, Nye County Clerk  
25 And Ex-Officio Clerk of the Board

CERTIFIED COPY

24 /// The document to which this certificate is attached is a full,  
true and correct copy of the original on file and of record in  
my office.

25 /// Date: 12/20/07  
Sandra L. Merlino, clerk of the Fifth Judicial District Court,  
in and for the County of Nye, State of Nevada.

By Sandra L. Merlino Deputy  
Per NRS 239 Sec. 6 the SSN may be redacted, but in no way  
affects the legality of the document.