UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges:
Thomas S. Moore, Chairman
Alex S. Karlin
Alan S. Rosenthal

In the Matter of	)	Docket No. PAPO-00
	)	
U.S. DEPARTMENT OF ENERGY	)	ASLBP No. 04-829-01 PAPO
	)	
(High Level Waste Repository:	)	
Pre-Application Matters)	)	July 24, 2008

STATE OF NEVADA'S NOTICE OF FILING OF
NON-DISCLOSURE DECLARATIONS (OUO INFORMATION)

Nevada files this Notice and attached Non-Disclosure Declarations in accordance with the provisions of Section V of the PAPO Board's Third Case Management Order entered August 30, 2007.

1. Pursuant to 10 C.F.R. Section 2.1018(a)(1)(iii), Nevada has requested certain sensitive, unclassified information from the Department of Energy ("DOE").

2. In accordance with Section V of the PAPO Board's Third Case Management Order, Nevada's request for full-text access was submitted electronically to DOE, the originator of the Official Use Only ("OUO") documents in question.

3. In accordance with Section V(B) of the Third Case Management Order, Nevada herewith submits the Non-Disclosure Declarations executed by Robert J. Halstead and Steven Frishman. Care will be taken to preclude disclosure of the OUO materials requested to any person who has not previously executed a Non-Disclosure Declaration.

Respectfully submitted,

(*signed electronically*)
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John W. Lawrence
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Dated: July 24, 2008

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before Administrative Judges:

Thomas S. Moore, Chairman
Alex S. Karlin
Alan S. Rosenthal

In the Matter of	)	Docket No. PAPO-00
	)	
U.S. DEPARTMENT OF ENERGY	)	ASLBP No. 04-829-01 PAPO
	)	
(High Level Waste Repository:	)	
Pre-Application Matters)	)	July 23, 2008

NON-DISCLOSURE DECLARATION OF ROBERT J. HALSTEAD
(Regarding Sensitive Unclassified Information – Official Use Only)

Under penalty of perjury, I hereby declare my understanding that access to sensitive unclassified information is provided to me pursuant to the terms and restrictions of the Protective Order regarding Official Use Only documents, dated August 30, 2007, that I have been given a copy of and have read the Protective Order regarding Official Use Only documents, dated August 30, 2007; and that I agree to be bound by it as well as the terms of the Third Case Management Order dated August 30, 2007. I understand that the contents of sensitive unclassified information, as defined in that Third Case Management Order, shall not be disclosed to anyone other than in accordance with the applicable Protective Order and Third Case Management Order. I acknowledge that a violation of this Declaration, the Third Case Management Order, or the applicable Protective Order, which incorporates the terms of these Orders, constitutes a violation of an order of the Nuclear Regulatory Commission and may result in the imposition of sanctions as the Pre-License Application Presiding Officer (PAPO) Board, a subsequent Presiding Officer in this proceeding, or the Commission may deem to be appropriate. Such sanctions may include, but are not limited to, refusal to consider a filing by the offending receiver; denial of the right to receive documents under this or any other protective order in this

proceeding; denial of the right to cross-examine or present evidence; refusal to allow the counsel, consultant, or other representative of a receiver to participate in this proceeding; dismissal of one or more of a receiver's contentions; or dismissal of the participant from the proceeding. Sanctions may also include, and are not limited to, referral of the violation to appropriate bar associations and/or other disciplinary authorities, including the U.S. Department of Justice for criminal prosecution, if appropriate, and the imposition of civil penalties as authorized by applicable law.

WHEREFORE, I do solemnly agree to protect such sensitive unclassified information as may be disclosed to me in this Yucca Mountain licensing proceeding, in accordance with the terms of this declaration.

Name (printed): Robert J. Halstead

Title: Transportation Advisor (Contractor)

Representing: State of Nevada, Agency for Nuclear Projects

Signature: Robert J. Halstead

Date: JULY 23, 2008

Subscribed and sworn or affirmed before me this 23rd day of JULY, 2008.

Amy Clark
NOTARY PUBLIC

My commission expires on: OCTOBER 18, 2010.

AMY CLARK
NOTARY PUBLIC
STATE OF WISCONSIN

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before Administrative Judges:

Thomas S. Moore, Chairman
Alex S. Karlin
Alan S. Rosenthal

In the Matter of	)	Docket No. PAPO-00
	)	
U.S. DEPARTMENT OF ENERGY	)	ASLBP No. 04-829-01 PAPO
	)	
(High Level Waste Repository:	)	
Pre-Application Matters)	)	July 16, 2008

NON-DISCLOSURE DECLARATION OF Steven Frishman
(Regarding Sensitive Unclassified Information – Official Use Only)

Under penalty of perjury, I hereby declare my understanding that access to sensitive unclassified information is provided to me pursuant to the terms and restrictions of the Protective Order regarding Official Use Only documents, dated August 30, 2007, that I have been given a copy of and have read the Protective Order regarding Official Use Only documents, dated August 30, 2007; and that I agree to be bound by it as well as the terms of the Third Case Management Order dated August 30, 2007. I understand that the contents of sensitive unclassified information, as defined in that Third Case Management Order, shall not be disclosed to anyone other than in accordance with the applicable Protective Order and Third Case Management Order. I acknowledge that a violation of this Declaration, the Third Case Management Order, or the applicable Protective Order, which incorporates the terms of these Orders, constitutes a violation of an order of the Nuclear Regulatory Commission and may result in the imposition of sanctions as the Pre-License Application Presiding Officer (PAPO) Board, a subsequent Presiding Officer in this proceeding, or the Commission may deem to be appropriate. Such sanctions may include, but are not limited to, refusal to consider a filing by the offending receiver; denial of the right to receive documents under this or any other protective order in this

proceeding; denial of the right to cross-examine or present evidence; refusal to allow the counsel, consultant, or other representative of a receiver to participate in this proceeding; dismissal of one or more of a receiver's contentions; or dismissal of the participant from the proceeding. Sanctions may also include, and are not limited to, referral of the violation to appropriate bar associations and/or other disciplinary authorities, including the U.S. Department of Justice for criminal prosecution, if appropriate, and the imposition of civil penalties as authorized by applicable law.

WHEREFORE, I do solemnly agree to protect such sensitive unclassified information as may be disclosed to me in this Yucca Mountain licensing proceeding, in accordance with the terms of this declaration.

Name (printed): Steven Frishman

Title: Technical Policy Coordinator

Representing: Nevada Agency for Nuclear Projects

Signature: Steven Frish

Date: July 16, 2008

Subscribed and sworn or affirmed before me this 16 day of JULY, 2008.

NOTARY PUBLIC

My commission expires on: 8/10/2008.

LINDA H. BENJAMIN
Notary Public State of Nevada
No. 04-91272-1
My appt. exp. Aug. 10, 2008

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	Docket No. PAPO-00
	)	
U.S. DEPARTMENT OF ENERGY	)	ASLBP NO. 04-829-01-PAPO
	)	
(High-Level Waste Repository:	)	
Pre-Application Matters)	)	July 24, 2008

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Nevada's Notice of Filing of Non-Disclosure Declarations (OUO Information) has been served upon the following persons either by Electronic Information Exchange or electronic mail (denoted by an asterisk (*)).

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