

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Atomic Safety and Licensing Board

Before Administrative Judges:

ASLBP BOARD 09-876-HLW-CAB01 William J. Froehlich, Chairman Thomas S. Moore Richard E. Wardwell	ASLBP BOARD 09-877-HLW-CAB02 Michael M. Gibson, Chairman Lawrence G. McDade Nicholas G. Trikourous	ASLBP BOARD 09-878-HLW-CAB03 Paul S. Ryerson, Chairman Michael J. Farrar Mark O. Barnett
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In the Matter of	)	
	)	Docket No. 63-001-HLW
U.S. DEPARTMENT OF ENERGY	)	
(High-Level Waste Repository)	)	March 3, 2009
	)	

NOTICE OF ADOPTION OF CERTAIN NYE COUNTY CONTENTIONS

Pursuant to 10 C.F.R. § 2.309(f)(3), the Nuclear Energy Institute ("NEI") hereby gives notice that it is adopting the following Safety contentions that were timely filed by Nye County, Nevada ("Nye County"):

NYE-SAFETY-1
NYE-SAFETY-2

NEI has discussed its adoption of these two contentions with Nye County, and Nye County retains "the authority to act" regarding both contentions.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "Notice of Adoption of Certain Nye County Contentions" have been served upon the following persons on this 3rd day of March, 2009 by Electronic Information Exchange.

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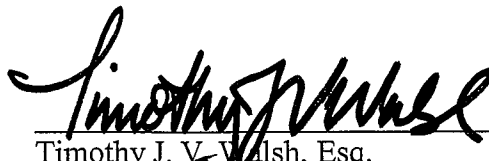
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