

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

**ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges:**

**09-892-HLW-CAB04
Thomas S. Moore, Chairman
Paul S. Ryerson
Richard E. Wardwell**

In the Matter of :)	January 25, 2010
)	
U.S. Department of Energy)	
Docket No. 63-001)	
)	Docket No. 63-001-HLW
(High Level Waste Repository Construction)	
Authorization Application))	
)	

NYE COUNTY, NEVADA RESPONSE TO LSNA QUESTIONS

Following are Nye County, Nevada (Nye County), comments to the December 17, 2009 correspondence from the Licensing Support Network Administrator, Mt. Dan Glasser. On December 22, 2009, Construction Authorization Board 4 (CAB04) issued an Order which provides in part, "any party that wishes to comment in writing on the LSNA's memorandum is encouraged to do so, preferably no later than January 21, 2010."

Nye County has no information concerning Mr. Glasser's first two questions, so no response can be provided. As to Mr. Glasser's third question, Nye County intends to retain its LSN document¹ collection in a manner that will protect the integrity of the collection on either CD, DVD, or a website, with hard copies prepared for back up. Documents and header information which comprise the vast majority of Nye County's LSN collection could be made

¹ Nye County is also in possession of non-documentary information pertaining to Nye County's Early Warning Drilling program and this proceeding. That information includes water and rock core samples and other non-documentary data and information. Absent extraordinary circumstances, this information and data will be protected and retained by Nye County long after its mandatory retention obligation under Nevada law, unless or until such retention becomes unfeasible.

available to parties in a searchable form by providing copies of the CDs or DVDs. Copies of the CDs and DVDs and backup hard copies would be archived with an appropriate Nye County agency.

Respectfully Submitted,

Signed electronically

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January 25, 2009

Counsel for Nye County, Nevada

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC AND SAFETY LICENSING BOARD

In the Matter of)	Docket No.	63-001-HLW
)		
U.S. DEPARTMENT OF ENERGY)	ASLBP Nos.	09-892-HLW-CAB04
)		
(High-Level Waste Repository))		

CERTIFICATE OF SERVICE

I hereby certify that copies of the Nye County Response to LSNA Questions, dated January 25, 2009, in the above-captioned proceeding have been served on the following persons by Electronic Information Exchange.

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January 25, 2009

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