

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of)
) Docket No. 63-001
U.S. DEPARTMENT OF ENERGY)
)
(High Level Waste Repository)) December 22, 2008

**EUREKA COUNTY, NEVADA’S REQUEST TO PARTICIPATE AS
INTERESTED GOVERNMENTAL PARTICIPANT**

Pursuant to 10 C.F.R. § 2.315(c) and the Commission's Notice of Hearing (73 Fed. Reg. 63,029 (October 22, 2008)), Eureka County, Nevada (the "County") hereby requests leave to participate in this proceeding as an Interested Governmental Participant (“IGP”). The County, which is located along potential highway and rail routes for transportation of spent fuel and high level radioactive waste to the Yucca Mountain repository, has previously been designated as an Affected Unit of Local Government pursuant to 42 U.S.C. § 10136(c).

As required by 10 C.F.R. § 2.315(c), the Eureka County Commissioners have designated the County Commission to be the single representative of Eureka County.

The Eureka County Commission is composed of the following three members:

J. P. Ithurralde, Chairman
Donna Bailey, Vice-Chairman
Leonard J. Fiorenzi, Member

The Commission’s mailing address is:

Eureka County Board of Commissioners
P.O. Box 677
Eureka, NV 89316

In a separate motion, which will also be filed today, Eureka County has requested the Commission to clarify the date on which Eureka County must identify the contentions

on which it wishes to participate pursuant to 10 C.F.R. § 2.315(c), and has also asked that such deadline be set as 45 days after the Atomic Safety and Licensing Board issues its rulings on contention admissibility.

Eureka County has substantially and timely complied with the provisions of 10 C.F.R. Part 2, Subpart J, including Sections 2.1003 and 2.1009, in that it has designated an official responsible for administration of its responsibility to provide electronic files of Documentary Material; established procedures to implement the requirements of Section 2.1003; provided training to its staff on the procedures for implementation of the responsibility to provide electronic files of Documentary material; and expended substantial time and good faith effort to ensure that it has made all its Documentary material publicly available. In addition, the County submitted an adequate and timely initial LSN certification on April 21, 2006; and has submitted adequate and timely supplemental certifications since that date.

Respectfully submitted,

/s/
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December 22, 2008