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Via E-filing

May 8, 2009

Hon. Ann K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

Re: STB Finance Docket No. 35106  
*United States Department Of Energy – Rail Construction And Operation –  
Caliente Line In Lincoln, Nye, And Esmeralda Counties, Nevada*

Dear Acting Secretary Quinlan:

Enclosed for filing on behalf of the State of Nevada in the above-captioned docket is the State's *Notice of Submission of Presidential Budget for FY2010*. The *Notice* is presented in PDF version.

The *Notice* reflects the correct document and service dates. Counsel has been served by U.S. Mail and/or by e-mail as agreed.

Thank you.

Yours truly,  
/s/  
Paul H. Lamboley

PHL/nd  
Cc: All Parties of Record

UNITED STATES OF AMERICA  
-----  
BEFORE THE SURFACE TRANSPORTATION BOARD  
-----  
STB FINANCE DOCKET NO. 35106  
-----

UNITED STATES DEPARTMENT OF ENERGY – RAIL  
CONSTRUCTION AND OPERATION – CALIENTE RAIL LINE  
IN LINCOLN, NYE, AND ESMERALDA COUNTIES, NEVADA  
-----

STATE OF NEVADA'S MOTION TO SUSPEND FURTHER PROCEEDINGS,  
OR IN THE ALTERNATIVE, TO REOPEN THE PROCEDURAL SCHEDULE  
AND RECORD PREVIOUSLY ESTABLISHED FOR PUBLIC COMMENT ON  
PUBLIC CONVENIENCE AND NECESSITY (PCN) ISSUES RELATED TO THE  
APPLICATION FILED BY THE UNITED STATES DEPARTMENT OF  
ENERGY UNDER 49 U.S.C. 10901  
-----

NOTICE OF SUBMISSION PRESIDENTIAL BUDGET FOR FY2010  
-----

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April 7, 2009

NOTICE OF SUBMISSION PRESIDENTIAL BUDGET FOR FY2010

**NOTICE OF SUBMISSION PRESIDENTIAL BUDGET FOR FY2010**

On May 7, 2009 the President of the United States submitted his proposed budget for fiscal year 2010 ("FY2010") to Congress. The FY2010 Budget included proposed allocation for the Department of Energy ("DOE") and activity related to the proposed nuclear waste repository project at Yucca Mountain, Nevada ("YMP").

Relevant excerpts from the President's FY2010 Budget for DOE and YMP activity are attached hereto.

Dated this 8<sup>th</sup> day of April, 2009, by \_\_\_\_\_ /s/ \_\_\_\_\_  
Paul H. Lamboley, for

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**Certificate of Service**

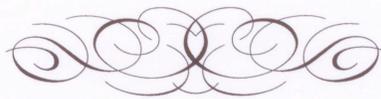
I HEREBY CERTIFY that true and correct copies of the foregoing document with exhibits were served on Parties of Record or their Counsel by (1) first-class U.S. mail, postage prepaid, (2) e-mail as shown, or (3) other expeditious method, this 8<sup>th</sup> day of May, 2009

\_\_\_\_\_/s/\_\_\_\_\_  
Paul H. Lamboley

**NOTICE OF SUBMISSION PRESIDENTIAL BUDGET FOR FY2010**



## Terminations, Reductions, and Savings



## Budget of the U.S. Government Fiscal Year 2010



Office of Management and Budget  
[www.budget.gov](http://www.budget.gov)

#### **GENERAL NOTES**

1. All years referenced for economic data are calendar years unless otherwise noted. All years referenced for budget data are fiscal years unless otherwise noted.
2. References to 2009 amounts exclude funding from American Recovery and Reinvestment Act of 2009.
3. Details in the tables may not add to the totals due to rounding.
4. Web address: *<http://www.budget.gov>*.

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Anthrax Vaccine Research, Department of Health and Human Services .....	8	.....	-8
Brownfields Economic Development Initiative, Department of Housing and Urban Development .....	10	.....	-10
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California Diesel Emissions Reduction Grants, Environmental Protection Agency .....	15	.....	-15
Character Education Program, Department of Education .....	12	.....	-12
Christopher Columbus Fellowship Foundation .....	1	.....	-1
Civic Education, Department of Education .....	33	.....	-33
Close-Up Fellowships, Department of Education .....	2	.....	-2
Combat Search and Rescue (CSAR-X) Helicopter, Department of Defense .....	233	89	-144
Corridor H of the Appalachian Development Highway, Department of Transportation .....	10	.....	-10
Delta Health Initiative, Department of Health and Human Services .....	26	.....	-26
Denali Access, Department of Transportation .....	6	.....	-6
Denali Commission, Department of Health and Human Services .....	20	.....	-20
Denali Job Training, Department of Labor .....	3	.....	-3
Economic Action Program, Department of Agriculture .....	5	.....	-5
Emergency Operations Centers Grant Program, Department of Homeland Security .....	35	.....	-35
Environmental Infrastructure Construction, Corps of Engineers .....	180	.....	-180
Even Start, Department of Education .....	66	.....	-66
F-22 Raptor Fighter Aircraft, Department of Defense .....	2,907	.....	-2,907
Foundations for Learning, Department of Education .....	1	.....	-1
Future Combat Systems Manned Ground Vehicles, Department of Defense .....	3,614	2,981	-633
Harry S. Truman Scholarship Foundation .....	1	.....	-1
Health Care Facilities and Construction, Department of Health and Human Services .....	310	.....	-310
High Energy Cost Grant, Department of Agriculture .....	18	.....	-18
Homeland Security Grants, Environmental Protection Agency .....	5	.....	-5
Inter-City Bus Security Grant Program, Department of Homeland Security .....	12	.....	-12
Javits Gifted and Talented Education Program, Department of Education .....	7	.....	-7
Joint Strike Fighter Alternate Engine, Department of Defense .....	465	.....	-465
Local Government Climate Change Grants, Environmental Protection Agency .....	10	.....	-10
Loran-C, Department of Homeland Security .....	35	.....	-35
Los Alamos Neutron Science Center Refurbishment, Department of Energy .....	19	.....	-19
Multiple Kill Vehicle Program, Department of Defense .....	283	.....	-283
National Institute for Literacy, Department of Education .....	6	.....	-6
Next Generation Bomber, Department of Defense .....	.....	.....	.....
Nuclear Hydrogen Activities, Department of Energy .....	8	.....	-8
Nuclear Power 2010, Department of Energy .....	178	20	-158
Oil Research and Development Program (Discretionary Funding), Department of Energy .....	5	.....	-5
Presidential Helicopter (VH-71), Department of Defense .....	835	85	-750
Public Broadcasting Grants, Department of Agriculture .....	5	.....	-5
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Trucking Security Program, Department of Homeland Security .....	8	.....	-8
Water Infrastructure Earmarks, Environmental Protection Agency .....	145	.....	-145
Watershed and Flood Prevention Program, Department of Agriculture .....	24	.....	-24
Work Incentive Grants, Department of Labor .....	17	.....	-17
Yucca Mountain Repository Program, Department of Energy .....	288	197	-91
<b>Total, Discretionary Terminations .....</b>	<b>11,667</b>	<b>3,463</b>	<b>-8,204</b>

**DISCRETIONARY TERMINATIONS AND REDUCTIONS—Continued**  
(Budget authority in millions of dollars)

Reductions	2009 Enacted	2010 Request	2010 Change from 2009
Abandoned Mine Lands Discretionary Grants, Department of the Interior .....	20	7	-13
African Development Foundation Program .....	33	30	-3
Agricultural Research Service Buildings and Facilities, Department of Agriculture .....	47	-50	-97
Airborne Laser Program, Department of Defense .....	401	187	-214
Aircraft Carrier Build Schedule, Department of Defense .....	1,211	484	-727
East-West Center Assistance, Department of State / International Programs .....	21	12	-9
Election Assistance Commission Grants, Election Assistance Commission .....	106	52	-54
Food and Drug Administration Construction Earmark for the National Center for Natural Products Research in Buildings and Facilities, Department of Health and Human Services .....	16	12	-4
Government Reliance on Contracted Service Support, Department of Defense .....	20,100	19,200	-900
Ground-Based Midcourse Defense Program, Department of Defense .....	1,507	983	-524
Low-Performing Corps Construction Projects, Corps of Engineers .....	244	.....	-244
LPD-17 and Mobile Landing Platform Transport Ships, Department of Defense .....	930	1,177	247
Navy CG(X) Cruiser, Department of Defense .....	142	150	8
Office of Labor-Management Standards, Department of Labor .....	45	41	-4
Real Choice Change Systems Grants, Department of Health and Human Services .....	5	3	-2
Recruiting and Retention Adjustments to Maintain End-Strength, Department of Defense .....	7,039	6,246	-793
Targeted Funding for Alaska Native Villages Infrastructure, Environmental Protection Agency .....	19	10	-9
Voice of America, Broadcasting Board of Governors .....	3	1	-2
<b>Total, Discretionary Reductions .....</b>	<b>31,889</b>	<b>28,545</b>	<b>-3,344</b>
<b>Total, Discretionary Terminations and Reductions .....</b>	<b>43,556</b>	<b>32,008</b>	<b>-11,548</b>

**TERMINATION: YUCCA MOUNTAIN REPOSITORY PROGRAM***Department of Energy*

The Administration proposes to eliminate the Yucca Mountain repository program. The Budget provides \$196.8 million for the Department of Energy (DOE) to explore alternatives for nuclear waste disposal and to continue participation in the repository license proceeding before the Nuclear Regulatory Commission.

**Funding Summary**  
(In millions of dollars)

	2009 Enacted	2010 Request	2010 Change from 2009
Budget Authority.....	288	197	-91

**Justification**

This proposal implements the Administration's decision to terminate the Yucca Mountain program while developing disposal alternatives. All funding for development of the facility would be eliminated, such as further land acquisition, transportation access, and additional engineering.

The President has acknowledged that nuclear power is -- and likely will remain -- an important source of electricity for many years to come and that how the Nation deals with the dangerous byproduct of nuclear reactors is a critical question that has yet to be resolved.

The President, however, has made clear that the Nation needs a better solution than the proposed Yucca Mountain repository. Such a solution must be based on sound science and capable of securing broad support, including support from those who live in areas that might be affected by the solution. Accordingly, Secretary of Energy Chu has announced that he will stand up an expert, Blue Ribbon Commission to evaluate options and make recommendations to the Administration for developing a new plan for the back end of the fuel cycle. The program accounts continue to fund only those costs necessary to participate in the Nuclear Regulatory Commission proceeding and an effort by the Administration to devise a new strategy toward nuclear waste disposal.