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RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
PRIVATE FUEL STORAGE L.L.C.	)	Docket No. 72-22
	)	
(Private Fuel Storage Facility)	)	ASLBP No. 97-732-02-ISFSI

APPLICANT'S FOURTH SET OF FORMAL DISCOVERY REQUESTS TO INTERVENORS STATE OF UTAH AND CONFEDERATED TRIBES

Applicant Private Fuel Storage L.L.C. ("Applicant" or "PFS") hereby makes the following formal discovery requests of the State of Utah and the Confederated Tribes.

General Definitions and Instructions

1. The term "document" means the complete original or a true, correct, and complete copy and any non-identical copies, whether different by reason of any notation or otherwise, of any written or graphic matter of any kind, no matter how produced, recorded, stored, or reproduced (including electronic, mechanical or electrical records or representation of any kind) including, but not limited to, any writing, letter, telegram, meeting minute or note, memorandum, statement, book, record, survey, map, study, handwritten note, working paper, chart, tabulation, graph, tape, data sheet, data processing card, printout, microfilm or microfiche, index, diary entry, note of interview or communication, or any data compilation including all drafts of all such documents.

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The phrase "data compilation" includes, but is not limited to, any material stored on or accessible through a computer or other information storage or retrieval system, including videotapes and tape recordings.

2. The "State of Utah" means any branch, department, agency, division or other organized entity, of the State of Utah, as well as any of its officials, directors, agents, employees, representatives, and its attorneys.

3. "Confederated Tribes" means the Confederated Tribes of the Goshute Reservation, any of its officials, directors, agents, employees, representatives, and its attorneys.

4. "Consultant" means any person who provides professional, scientific, or technical input, advice and/or opinion to the State or Confederated Tribes whether that person is employed specifically for this case or is a regular State or Confederated Tribes employee or official.

5. "PFSF" and "PFS ISFSI" means the Private Fuel Storage Facility.

I. GENERAL INTERROGATORIES

GENERAL INTERROGATORY NO. 1. State the name, business address, and job title of each person who was consulted and/or who supplied information for responding to interrogatories, requests for admissions and requests for the production of documents. Specifically note for which interrogatories, requests for admissions and requests for production each such person was consulted and/or supplied information.

If the information or opinions of anyone who was consulted in connection with your response to an interrogatory or request for admission differs from your written answer to the discovery request, please describe in detail the differing information or

opinions, and indicate why such differing information or opinions are not your official position as expressed in your written answer to the request.

II. GENERAL DOCUMENT REQUESTS

The Applicant requests the State of Utah and/or the Confederated Tribes to produce the following documents directly or indirectly within their possession, custody or control to the extent not previously produced during informal discovery:

GENERAL REQUEST NO. 1. All documents in your possession, custody or control identified, referred to, relied on, or used in any way in (a) responding to the interrogatories and requests for admissions set forth in Applicant's First Set of Formal Discovery Requests to Intervenors State of Utah and Confederated Tribes, (b) responding to the interrogatories and requests for admissions set forth in Applicant's Second Set of Discovery Requests with Respect to Groups II and III Contentions, (c) responding to the interrogatories and requests for admissions set forth in Applicant's Third Set of Discovery Requests with Respect to Groups II and III Contentions, and (d) responding to the following interrogatories and requests for admissions in this document, or (e) responding to the any subsequent interrogatories and requests for admissions filed with respect to the State's and/or Confederated Tribes Contentions as admitted by the Board.

III. BOARD CONTENTION 3 (UTAH E/CONFEDERATED TRIBES F) FINANCIAL ASSURANCE

These requests are directed to both the State and Confederated Tribes as appropriate. The responses should take into account (i) the information contained in the License Application, as submitted and amended, (ii) the information contained in PFS's

answers to the NRC Staff's Requests for Additional Information and Commitment Resolution Letters, and (iii) the information contained in PFS's Business Plan, which has been provided to the State.

A. Document Requests – Utah E

The Applicant requests the State of Utah to produce the following documents directly or indirectly within its possession, custody or control to the extent not previously produced during discovery:

1. All documents discussing health and safety concerns the State asserts have been encountered by "financially strapped nuclear licensees." See State of Utah's Response to the Applicant's Motion for Partial Summary Disposition of Utah Contention E/Confederated Tribes Contention F, at 10 [hereinafter State Resp. to Utah E Mot.].

2. All documents concerning "corners cut" by nuclear licensees to minimize costs that have compromised safety. See State of Utah's Statement of Disputed and Relevant Material Facts (filed with State Resp. to Utah E Mot.), at ¶ 11 [hereinafter Utah St. Mat. Facts].

3. All documents discussing "pre-existing liabilities" the State contends PFS would have at the time construction of the PFSF would begin. See State Resp. to Utah E Mot. at 12.

4. All documents discussing the "pre-construction debt" and "non-construction obligations" that could affect PFS's financial base. Utah St. Mat. Facts at ¶ 24.

5. All documents concerning the "financial depth" that the State contends is necessary for PFS to build the PFSF and "adequately protect the public health and safety." See Utah St. Mat. Facts at ¶ 19.

6. All documents discussing how, in the State's view, the acceptance of spent fuel at the DOE repository at Yucca Mountain would impact the projected revenue of the PFSF. See Utah St. Mat. Facts at ¶ 34.

7. All documents discussing the "liabilities" the State asserts may "impair funding of construction, operation, maintenance, and decommissioning of

and transportation services" provided for the PFSF. See Utah St. Mat. Facts at ¶ 58.

8. All documents discussing the operating and maintenance and other costs of the PFSF that the State asserts will be fixed rather than variable. See Sheehan Dec. (submitted with State Resp. to Utah E Mot.) at ¶ 9.e.

9. All documents related to the costs of constructing ISFSIs, including any and all documents relied upon to dispute the reasonableness of PFS's construction cost estimates.

10. All documents related to the costs of operating and maintaining ISFSIs, including any and all documents relied upon to dispute the reasonableness of PFS's operation and maintenance cost estimates.

11. All documents comprising or relating to any evaluation performed by the State or its experts of the costs of constructing an ISFSI.

12. All documents comprising or relating to any evaluation performed by the State, or its experts, of the costs of operating and maintaining an ISFSI.

13. All documents comprising or relating to any evaluations or analysis by the State or its experts of the adequacy of the financial qualifications of PFS to construct and operate the PFSF.

IV. BOARD CONTENTION 6 (UTAH H) INADEQUATE THERMAL DESIGN

The responses should take into account (i) the information contained in the License Application, as submitted and amended, (ii) the information contained in PFS's answers to the NRC Staff's Requests for Additional Information and Commitment Resolution Letters, (iii) and the sensitivity studies performed for PFS and submitted to the NRC on December 13, 1999, and related documents.

A. Requests for Admission – Utah H

1. Do you admit that there would be no net transfer of radiant heat between two vertically arrayed casks, at the same temperature, in the vicinity of each other?

2. Do you admit that any one cask would have no net gain of radiant heat from others in an array with a large number of casks, all at the same temperature?

3. Do you admit that if two casks are arrayed in close vicinity of each other, where one cask is hotter than the other, the hot cask would not receive net radiant heat from the cold cask?

4. Do you admit that if two casks are arrayed in close vicinity of each other, where one cask is hotter than the other, the hot cask would tend to cool down due to radiation heat transfer?

5. Do you admit that it is not necessary to specify or know the temperature of a perfectly reflecting boundary to correctly formulate a radiation heat transfer simulation?

6. Do you admit that a perfect reflector does not return radiant energy as a function of its temperature?

7. Do you admit that the exit temperature of air in a ventilated cask containing a canister loaded with typical spent nuclear fuel would not stay the same as the temperature of air entering the overpack?

8. Do you admit that heating of the upflowing air through its contact with the inside surface of the overpack helps increase the rate of ventilation in a ventilated overpack such as HI-STORM 100?

9. Do you admit that the heat input to a cask from other casks in a typically loaded array of HI-STORM casks, at the PFSF design basis heat load, would be less than the heat input from PFSF design basis insolation?

10. Do you admit that the peak temperatures of a HI-STORM 100 cask would be decreased if the spacing between the casks is decreased?

11. Do you admit that the State claims that it is necessary to specify or know the temperature of a perfectly reflecting boundary in order to correctly formulate a radiation heat transfer simulation?

12. Do you admit that the HI-STORM storage cask has been analyzed for a continuous ambient temperature of 125°F?

13. Do you admit that the TranStor storage cask has been analyzed for a continuous ambient temperature of 125°F?

14. Do you admit that Holtec International has committed to adhere to the provisions of ACI-349 for concrete used in the HI-STORM cask?

15. Do you admit that the temperature limit of 350°F for "cask surface temperature," as stated in Table 1 of Attachment 1 to Holtec International's December 13, 1999 submittal to the NRC Staff entitled "PFS EHT Thermal Modeling Features Sensitivity Study," is a valid and correct temperature limit for the HI-STORM cask?

16. Do you admit that the temperature limit of 775°F for "canister shell temperature," as stated in Table 1 of Attachment 1 to Holtec International's December 13, 1999 submittal to the NRC Staff entitled "PFS EHT Thermal Modeling Features Sensitivity Study," is a valid and correct temperature limit for the HI-STORM cask?

17. Do you admit that the temperature limit of 1058°F for "peak cladding temperature," as stated in Table 1 of Attachment 1 to Holtec International's December 13, 1999 submittal to the NRC Staff entitled "PFS EHT Thermal Modeling Features Sensitivity Study," is a valid and correct temperature limit for the HI-STORM cask?

18. Do you admit that the FLUENT software package is a valid and correct code for performing thermal analyses for spent fuel dry storage casks?

19. Do you admit that the thermal analyses performed by Holtec International using the FLUENT code for the HI-STORM storage cask at the PFSF site, wholly apart from the State's position on the validity of the input assumptions, are correct, accurate, and valid?

20. Do you admit that the generic thermal analyses performed by Holtec International using the FLUENT code for the HI-STORM storage cask in the HI-STORM Topical Safety Analysis Report, wholly apart from the State's position on the validity of the input assumptions, are correct, accurate, and valid?

21. Do you admit that, other than the errors alleged in Interrogatories No. 1 below, the State alleges no errors in PFS' thermal analysis of the HI-STORM storage cask at the PFSF site?

22. Do you admit that the State has no ambient temperature data for Skull Valley that contradicts the temperature estimates for the PFSF site given in the PFSF Safety Analysis Report?

23. Do you admit that the State has no ambient temperature data for PFSF site that contradicts the temperature estimates for the PFSF site given in the PFSF Safety Analysis Report?

24. Do you admit that the EHT model for the Holtec thermal analysis of the HI-STORM cask at the PFSF site models all of the air in the system, from the ISFSI pad surface to the top of the storage cask?

25. Do you admit that the FLUENT code is a commercially-available software package?

26. Do you admit that the hypothetical reflecting boundary used in the EHT model thermal analysis performed by Holtec International for PFS models an infinite array of identical dry storage casks?

27. Do you admit that the ambient temperature data provided by PFS in the PFSF SAR accurately bounds the actual temperatures at the Skull Valley site where the PFSF is to be located?

28. Do you admit that the ambient temperature data collected by PFS over a two-year period from its meteorological station in Skull Valley, and produced to the State, accurately reflects the actual temperatures at the Skull Valley site where the PFSF is to be located?

29. Do you admit that air is effectively transparent to thermal radiation?

30. Do you admit that radiation heat transfer from the HI-STORM cask to air is negligible?

31. Do you admit that the EHT model thermal analysis performed by Holtec International for PFS correctly models the geometry of a HI-STORM dry storage cask?

32. Do you admit that the EHT model thermal analysis performed by Holtec International for PFS correctly models the heat transfer properties of the materials in a HI-STORM dry storage cask?

33. Do you admit that maximum difference between the air temperature at five feet above a heated ISFSI concrete pad and the general ambient air temperature would be, at most 1 °F to 2°F?

34. Do you admit that maximum difference between the air temperature at fifteen feet above a heated ISFSI concrete pad and the general ambient air temperature would be negligible?

35. Do you admit that the State has not performed any independent analyses to verify or evaluate the results of the Holtec EHT model thermal analyses of the HI-STORM cask for the PFSF site?

36. Do you admit that the Holtec sensitivity studies performed for PFS and submitted to the NRC on December 13, 1999 show an increase in HI-STORM cask surface temperature due to radiation heat transfer from adjacent casks?

37. Do you admit that the Holtec sensitivity studies performed for PFS and submitted to the NRC on December 13, 1999 show an increase in inlet duct air temperature due to heat transfer to the air from the ISFSI concrete pad and cask?

38. Do you admit that the effective area of the concrete pad used in the EHT model thermal analysis envelopes the actual concrete pad area for dry storage in the PFSF storage cask array?

39. Do you admit that the conceptual heat transfer model used in the FLUENT code is valid and correct?

40. Do you admit that the design temperature limits for the HI-STORM 100 casks are a generic cask issue addressed in the HI-STORM 100 general rulemaking proceeding?

41. Do you admit that the design temperature limits for the TranStor casks are a generic cask issue addressed in the TranStor general rulemaking proceeding?

42. Do you admit that the only issue in Basis 7 of contention Utah H is whether or not the temperatures of a HI-STORM cask at the PFSF site are enveloped by the design temperature limits for the HI-STORM 100 cask?

43. Do you admit that the only issue in Basis 6 of contention Utah H is whether or not the temperatures of a TranStor cask at the PFSF site are enveloped by the design temperature limits for the TranStor cask?

44. Do you admit that the heat generated by the storage casks themselves can be accounted for by thermal analysis of an infinite array of storage casks that include mechanisms of heat transfer?

45. Do you admit that the increase in the HI-STORM 100 inlet duct air temperature will result in an increase in the outlet duct air temperature?

B. INTERROGATORIES – Utah Contention H

1. Identify and explain in detail any and all errors, and the bases therefor, that the State alleges to be in the EHT model thermal analysis of the HI-STORM storage cask at the PFSF site performed by Holtec International for PFS, including the December 13, 1999 sensitivity studies.

2. Identify in detail any and all temperature limits that the State alleges that would be violated, and the bases therefor, by storing PFSF design basis fuel in the HI-STORM storage cask at the PFSF site.

3. Identify and explain in detail what the State alleges should be used, and the bases therefor, as the ambient temperature of the PFSF site in performing thermal analyses of dry storage casks at the PFSF site.

4. Explain, including providing all bases, the State's assertion that the hypothetical reflecting boundary used in the EHT model thermal analysis performed by Holtec for PFS does not envelope the radiation heat transfer from adjacent casks in the PFSF storage cask array.

C. Document Requests – Utah H

The Applicant requests the State of Utah to produce the following documents directly or indirectly within its possession, custody or control to the extent not previously produced by the State during discovery:

1. Provide all documents the State has on ambient temperature data for Skull Valley that contradicts the temperature estimates for the PFSF site given in the PFSF Safety Analysis Report.

2. Provide all documents the State has on ambient temperature data for PFSF site that contradicts the temperature estimates for the PFSF site given in the PFSF Safety Analysis Report.

3. Provide all documents relating to thermal analyses performed by the State or its contractors to verify or evaluate the Holtec thermal analysis of the HI-STORM cask for the PFSF site. This request includes, but is not limited to, both hand calculations and computer calculations.

4. Provide all documents relating to the potential increase in air temperature above a heated surface. This request includes, but is not limited to, all documents authored by Dr. Hashem Akbari of the Lawrence Berkeley National Laboratory.

5. Provide all documents relating to any correspondence between the State or its contractors and Dr. Hashem Akbari. This request includes, but is not limited to, the correspondence referenced in the "State of Utah's Comments on NRC's Proposed Approval of the Holtec Hi-Storm 100 Cask System,"

submitted by letter dated December 6, 1999 from C. Nakahara (State of Utah) to E. Julian (NRC).

6. Provide all documents relating to any evaluation performed by the State or its contractors of the PFS thermal analysis of dry storage casks at the PFSF site.

7. Provide all documents relating to temperature limits applicable to concrete used for dry spent fuel storage casks.

8. Provide all documents relating to the buoyancy of air in convective heat transfer for dry spent fuel storage casks.

9. Provide all documents relating to thermal analysis of dry spent fuel storage cask temperatures performed by the State or its contractors, or anyone else.

V. BOARD CONTENTION 8 (UTAH L) GEOTECHNICAL

The responses should take into account (i) the information contained in the License Application, as filed and amended through Amendment No 8, (ii) the information contained in PFS's answers to the NRC Staff's Requests for Additional Information or Commitment Resolution Letters, (iii) the Bay Geophysical seismic surveys, (iv) the Geomatrix' February 1999 "Fault Evaluation Study and Seismic Hazard Assessment," ("Geomatrix study"), and (v) related documents which have been provided to the State.

A. Requests for Admission – Utah L

1. Do you admit that the PFS's investigation of soil conditions at the PFS site, as described in the SAR, as amended through Amendment No. 8, are adequate to determine the suitability of the proposed site of the PFSF?

2. Do you admit that PFS has conducted additional geotechnical borings across the site?

3. Do you admit that PFS has conducted additional borings below depths of 100 ft., as shown in Figs. 2.6-21 and 2.6-22 of the SAR?

4. Do you admit that the spacing and coverage of the geotechnical borings are adequate to discover significant horizontal variation?

5. Do you admit that PFS has established the depth and nature of bedrock at the site?

6. Do you admit that the depth to groundwater and the hydraulic gradient, including seasonal variations, have been defined for the PFSF site?

7. Do you admit that PFS has adequately addressed the potential for collapsible soils at the PFSF site?

8. Do you admit that PFS has properly determined the soil's undrained shear strength?

B. Interrogatories – Utah L

1. If Request for Admission No. 1 is denied, identify and fully explain in each and every respect all alleged deficiencies in PFS's investigation of soils conditions, as set forth in the latest version of the SAR and materials referenced therein, as well as any additional investigations that the State claims should be performed to adequately investigate soil conditions at the PFSF site, including the scientific and technical bases therefor.

2. Identify and fully explain any alleged deficiencies in the geotechnical investigations performed by PFS, as well as any additional geotechnical investigations that the State claims should be performed to adequately characterize the PFSF site, including the scientific and technical bases therefor

C. Document Requests – Utah L

The Applicant requests the State of Utah to produce the following documents directly or indirectly within its possession, custody or control to the extent not previously produced by the State during informal discovery:

1. All documents related to the State's review and analysis, including that of its experts, of the seismic, geotechnical and other information and data related to Utah L provided by PFS to the NRC.

2. All documents comprising or relating to any evaluation performed by the State, or its experts, in its evaluation of the sufficiency and correctness of the information and data provided by PFS to the NRC.

3. All seismic, geotechnical, and other information and data related to Utah L reviewed and relied upon by the State (and its experts) in its evaluation of the sufficiency and correctness of the information and data provided by PFS to the NRC.

4. All documents, data or other information describing, reviewing, analyzing, evaluating or otherwise relating to the reviews of seismic data performed by Barry Solomon and/or Lee Allison in the last five years.

VI. BOARD CONTENTION 13 (UTAH S) DECOMMISSIONING

These requests are directed to both the State and Confederated Tribes as appropriate. The responses should take into account (i) the information contained in the License Application, as submitted and amended, and (ii) the information contained in PFS's answers to the NRC Staff's Requests for Additional Information or Commitment Resolution Letters.

A. Document Requests – Utah S

The Applicant requests the State of Utah and Confederated Tribes to produce the following documents directly or indirectly within their possession, custody or control to the extent not previously produced during informal discovery:

1. All documents related to the costs of decommissioning ISFSIs, including any and all documents relied upon to dispute the reasonableness of PFS's decommissioning cost estimates.

2. All documents comprising or relating to any evaluation performed by the State, or its experts, of the costs of decommissioning the PFSF.

3. All documents comprising or relating to any evaluations or analysis by the State or its experts of the adequacy of the financial assurance provided by PFS for the decommissioning of the PFSF.

VII. BOARD CONTENTION 21 (UTAH GG) FAILURE TO DEMONSTRATE CASK-PAD STABILITY

The responses should take into account (i) the information contained in the License Application, as submitted and amended, and (ii) the information contained in PFS's answers to the NRC Staff's Requests for Additional Information or Commitment Resolution Letters, and (iii) the "TranStor Dynamic Response to 2000 year Return Seismic Event," HI-992295 (Exhibit 2 to PFS's Motion for Summary Disposition of Utah GG), and related documents.

A. Request for Admissions – Utah GG

1. Do you admit that a value of 0.2 conservatively bounds the lower limit of the coefficient of friction between steel and concrete?

2. Do you admit that a value of 0.8 conservatively bounds the upper limit of the coefficient of friction between steel and concrete?

B. Interrogatories – Utah GG

1. Identify and fully explain the upper and lower limits of the coefficient of friction between steel and concrete, and the scientific and technical bases therefor?

2. Identify and fully explain any events that would occur during a seismic event that would change the material properties of either the TranStor storage cask or the concrete pad that would affect the coefficient of friction and the scientific and technical bases therefor.

3. Identify and fully explain the range of values for the coefficient of friction that would be expected to occur between steel and concrete and the scientific and technical bases therefor.

4. Identify and explain in detail any and all errors, and the consequences thereof and the bases therefor, that the State alleges to be in the "TranStor Dynamic Response to 2000 year Return Seismic Event," HI-992295 (Exhibit 2 to PFS's Motion for Summary Disposition of Utah GG) related to the use of the coefficient of friction in that analysis, including the shift from the static case to the kinetic case.

C. Document Requests – Utah GG

The Applicant requests the State of Utah to produce the following documents directly or indirectly within its possession, custody or control to the extent not previously produced by the State during informal discovery:

1. All documents, data or other information describing, reviewing, analyzing, evaluating or otherwise relating to the proper coefficient of friction between the TranStor storage cask and the concrete pad.

Respectfully submitted,

Jay E. Silberg
Ernest L. Blake, Jr.
Paul A. Gaukler
SHAW PITTMAN
2300 N Street, N.W.
Washington, DC 20037
(202) 663-8000
Counsel for Private Fuel Storage L.L.C.

Dated: January 14, 2000

RELATED CORRESPONDENCE

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RULEMAKINGS AND
ADJUDICATIONS STAFF

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

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PRIVATE FUEL STORAGE L.L.C.	)	Docket No. 72-22
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(Private Fuel Storage Facility)	)	ASLBP No. 97-732-02-ISFSI

CERTIFICATE OF SERVICE

I hereby certify that copies of the "Applicant's Fourth Set of Formal Document Requests to Intervenors State of Utah and Confederated Tribes were served on the persons listed below (unless otherwise noted) by e-mail with conforming copies by U.S. mail, first class, postage prepaid, this 14th day of January 2000.

G. Paul Bollwerk III, Esq., Chairman
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
e-mail: GPB@nrc.gov

Dr. Jerry R. Kline
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
e-mail: JRK2@nrc.gov; kjerry@erols.com

Dr. Peter S. Lam
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
e-mail: PSL@nrc.gov

* Susan F. Shankman
Deputy Director, Licensing & Inspection
Directorate, Spent Fuel Project Office
Office of Nuclear Material Safety & Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Attention: Rulemakings and Adjudications Staff
e-mail: hearingdocket@nrc.gov
(Original and two copies)

* Adjudicatory File
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Catherine L. Marco, Esq.
Sherwin E. Turk, Esq.
Office of the General Counsel
Mail Stop O-15 B18
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
e-mail: pfscase@nrc.gov

Denise Chancellor, Esq.
Assistant Attorney General
Utah Attorney General's Office
160 East 300 South, 5th Floor
P.O. Box 140873
Salt Lake City, Utah 84114-0873
e-mail: dchancel@state.UT.US

John Paul Kennedy, Sr., Esq.
Confederated Tribes of the Goshute Reservation and David Pete
1385 Yale Avenue
Salt Lake City, Utah 84105
e-mail: john@kennedys.org

Joro Walker, Esq.
Land and Water Fund of the Rockies
2056 East 3300 South, Suite 1
Salt Lake City, UT 84109
e-mail: joro61@inconnect.com

Diane Curran, Esq.
Harmon, Curran, Spielberg & Eisenberg, L.L.P.
1726 M Street, N.W., Suite 600
Washington, D.C. 20036
e-mail: DCurran.HCSE@zzapp.org

Danny Quintana, Esq.
Skull Valley Band of Goshute Indians
Danny Quintana & Associates, P.C.
68 South Main Street, Suite 600
Salt Lake City, Utah 84101
e-mail: quintana@xmission.com

*Richard E. Condit, Esq.
Land and Water Fund of the Rockies
2260 Baseline Road, Suite 200
Boulder, CO 80302

* By U.S. mail only

Paul A. Gaukler