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January 27, 2001

Dr. Marvin Mendonca  
OWFN 11-B-20  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

SUBJECT: Utah State office of nuclear projects

Dear Dr. Mendonca:

In a news conference held at the Utah State Capitol on December 7, 2000, Governor Leavitt announced the creation of a new State office to coordinate opposition to a proposed temporary storage facility to house spent nuclear fuel on the Goshute Indian Reservation in Skull Valley. I have enclosed a Salt Lake Tribune article dated December 8, 2000, which summarizes the position of the State.

Through various associations I have identified Dr. Kevan C. Crawford as a most qualified candidate for Director of this office. Enclosed you will find Dr. Crawford's January 7, 2001, Salt Lake Tribune article stating his edited thoughts on the issue. With support of concerned lawyers, I have transmitted Dr. Crawford's resume to Governor Leavitt, Attorney General Shurtleff, and those currently working on this effort on behalf of the State.

Based on your professional association with Dr. Crawford, I am requesting that you consider joining in the efforts to support Dr. Crawford's appointment as Director of the newly created office by corresponding to Governor Leavitt and Attorney General Mark Shurtleff. For your convenience, addresses have been enclosed.

*add: Mark Mendonca  
4/1/01*

*NMSSOYALDHC*

Dr. Marvin Mendonca

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January 27, 2001

Clearly, this is an important issue for the State of Utah. Dr. Crawford's extensive experience in the nuclear profession, particularly his dealings with the NRC in reactor operation, regulation, and licensing, would be an exceptional asset to the State. Your consideration of this request would be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Joyce R. Peterson". The signature is fluid and cursive, with a prominent initial "J" and "P".

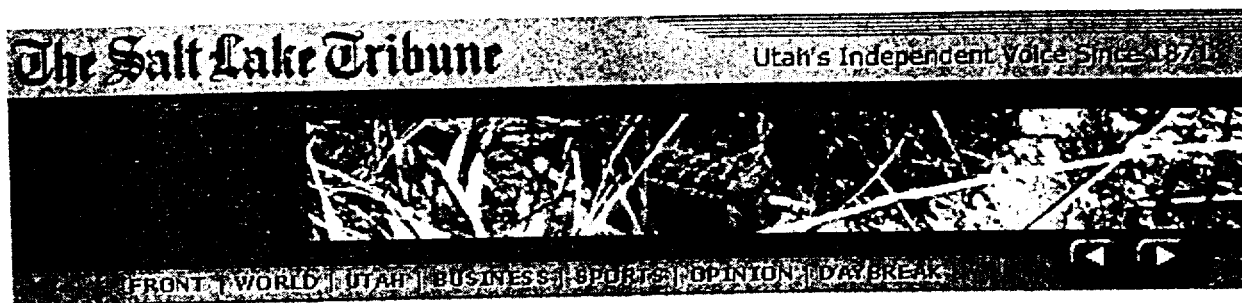
Joyce R. Peterson, CLA

pc: News Article (8 Dec)  
News Article (7 Jan)  
Addresses

Governor Mike Leavitt  
210 State Capitol  
Salt Lake City, Utah 84114

Mark Shurtleff  
Utah Attorney General  
236 State Capitol  
Salt Lake City, Utah 84114

\*\* I would appreciate receiving a courtesy copy of your letters. Thank you.



## Leavitt Creates an Office to Fight N-Waste Deal

Friday, December 8, 2000

BY JUDY FAHYS  
THE SALT LAKE TRIBUNE



Anti-nuclear rabble-rousing has become an official state-government function with the new Office of High-Level Nuclear Opposition.

O-HeLL-NO, the inevitable acronym, was pointed out by Gov. Mike Leavitt on Thursday as he announced the agency's creation.

"That was not by intention," he said, smiling, "but by lucky coincidence."

The sole function of the office is to fight plans by an eight-company consortium, Private Fuel Storage (PFS), to store spent nuclear fuel rods on the Goshute Indian Reservation in Skull Valley.

PFS has applied to the U.S. Nuclear Regulatory Commission (NRC) for permission to store 40,000 tons of lethal radioactive waste in concrete-and-steel casks about 45 miles southwest of Salt Lake City.

The \$3.1 billion project is seen as an economic boon to Tooele County, which plans to capture as much as \$270 million, and the 125-member Skull Valley tribe.

The state, meanwhile, is frustrated by its lack of influence over the plans because they involve the sovereign lands of an Indian nation and because the NRC has sole authority over nuclear materials.

And yet, if the storage proposal is approved, Utah would hold within its borders all of the high-level radioactive waste generated in this country over the 30-year history of nuclear power.

While the state's voice has been in the chorus objecting to the plans for years, its new coordinating office amounts to the throwing down of a political and legal gauntlet.

Leavitt said he will ask the Legislature for \$1.6 million next month to underwrite the office's work, which will involve the filing of lawsuits, tracking the NRC application, lobbying Congress and mobilizing the public.

The governor, who has created the office by executive order, is also appropriating \$50,000 to get it started.

"The public needs not to just feel opposition, but to express its opposition," said the governor.

The announcement was the first of a series of budget proposals Leavitt is expected to make over the next week. And he acknowledged it will be a challenge to secure the funding.

"It will have to compete with all of the other [budget] demands

that are there," he said.

Sue Martin, spokeswoman for PFS, noted that the state has already had an attorney dedicated to the project for three years.

"The big difference is they [the opponents in state government] are going to ask taxpayers to put a great deal more money behind it," she said.

Still, Leavitt is not alone in pushing the anti-nuclear effort.

He was joined Thursday by a large and diverse group of fellow opponents -- an example of how politics makes strange bedfellows.

GOP rainmaker Frank Suttter worked alongside Dan Berman, a one-time Democratic candidate for Congress, on a strategy for the opposition. Democratic activist Jim McConkie and Republican Sen. Terry Spencer are part of the legal team.

Meanwhile, Jeff Wright, a GOP insider and venture capitalist, has been brainstorming economic development alternatives for the tiny Goshute tribe with a longtime anti-nuclear activist who calls herself Cynthia of the Desert.

Attorney General-elect Mark Shurtleff said fighting the Goshute waste site is a matter of using "might for right."

"That's what we're talking about here -- justice, the rule of law," said Shurtleff, a Republican. "I believe we can stop this."

Margene Bullcreek, a Skull Valley Goshute who opposes the plans, described PFS as "a big corporation" bent on dividing the people in her community and separating them from their traditions. She welcomed the state's growing interest. "Hopefully, it will prevent . . . the waste from coming to the reservation," she said.

So did Jason Groenewold, a storage-site opponent representing the watchdog group Families Against Incinerator Risk.

"It's going to take an attack on all fronts to defeat this," he said.

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## Utah Must Coordinate Its Nuclear Waste Battle

Sunday, January 7,  
2001

BY KEVAN CRAWFORD



Gov. Mike Leavitt recently allocated \$50,000 of state emergency funds to open a state office to coordinate opposition to the proposed above-ground storage facility for spent fuel elements from nuclear power reactors outside Utah. Leavitt stated that he will propose to the next legislative session another \$1 million for ongoing operation of the office.

Also, the Utah Division of Environmental Quality (DEQ) recently published a booklet outlining the opposition to the facility. Without a written plan or substantial funding until now, the opposition has fallen short of success in every category of activity. Gains could be made with a few legal and legislative actions proposed which have a fair chance for mild success in slowing down the project's progress and protecting the interests of Utahns.

After procrastination and disorder, the greatest weakness of the opposition is the lack of scientific competence and experience. For example, from the DEQ publication one gets the distinct impression that state employees know very little about the licensing phases in the lifetime of a nuclear facility since nothing was mentioned about separate site, construction, and operating licensing procedures.

Nevertheless, successful opposition will require grass-roots support greater than what has been demonstrated. The Utah news media would be required to seek out truth for dissemination. Utahns would be required to listen, read and understand the issues. The record of routine failures of the U.S. Nuclear Regulatory Commission (NRC) would be required to be exposed to the public.

A public information effort to educate and motivate opposition would be subject to the critique of professionals who have the potential to increase grass-roots support for the facility. However, a public education campaign based on eyewitness accounts to numerous serious regulatory violations by an NRC licensee as well as the deliberate failure of the NRC to correct most of those violations and its own procedures could demonstrate a chronic disregard for public safety, inflame public opposition and be completely indefensible by the NRC and its license applicant.

It is extremely important that the state office to coordinate opposition be at least partially staffed with scientifically competent and technically experience people.

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Kevan Crawford, Ph.D., is a professor of engineering at the University of Utah and has been the director of three nuclear research facilities since 1981.

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