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**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

OFFICE OF SECRETARY
RULEMAKING AND
ADJUDICATIONS STAFF

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 SECOND SET OF FORMAL DISCOVERY REQUESTS
FOR INTERVENOR SUWA**

Applicant Private Fuel Storage L.L.C. ("Applicant" or "PFS") hereby makes the following formal discovery requests of SUWA. Note that the numbering of the interrogatories for the contention (SUWA B) begins after the highest numbered interrogatory filed on the contention in PFS's previous discovery requests.¹

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,

¹ PFS also requests that SUWA update its responses to PFS's earlier discovery requests under 10 C.F.R. § 2.740(e)(2). SUWA had stated that it might develop analyses relevant to Contention SUWA B. Intervenor Southern Utah Wilderness Alliance's Responses to the Applicant's First Set of Interrogatories and Requests for Production of Documents (May 28, 1999), Interrogatory Nos. 4-6; see also Letter from Paul Gaukler, Counsel for PFS, to Joro Walker, Counsel for SUWA (Nov. 1, 2000) (requesting the same). If SUWA has developed such analyses, PFS requests that they be produced at this time.

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, e-mail or communication, or any data compilation including all drafts of all such documents. 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. "SUWA" means Southern Utah Wilderness Alliance, any of its officials, directors, agents, employees, representatives, and its attorneys.

3. "Consultant" means any person who provides professional or technical input, advice and/or opinion to OGD whether that person is employed specifically for this case or is a regular OGD employee or official.

4. The "Low Corridor rail line" means the rail line that PFS has proposed in its license application to construct and operate, running from Low, Utah (on the main Union Pacific rail line near Interstate 80) to the PFS site on the Skull Valley Band of Goshute Reservation.

I. CONTENTION SUWA B--ALIGNMENT ALTERNATIVES TO THE LOW JUNCTION RAIL LINE

A. Interrogatories – SUWA B

7. State the size and precise location of any sensitive wetlands or other areas sensitive to the environmental effects of the Low Corridor rail line that SUWA asserts exist within two miles to the east of the “North Cedar Mountain roadless area” and within two miles to the east of the currently proposed alignment of the Low Corridor rail line. See Intervenor Southern Utah Wilderness Alliance’s Responses to the Applicant’s First Set of Interrogatories and Requests for Production of Documents (May 28, 1999), Interrogatory No. 3.
8. State the scientific and factual basis for SUWA’s belief that the wetlands or other areas identified in response to Interrogatory No. 7 are sensitive to the environmental effects of the Low Corridor rail line.

B. Document Requests – SUWA B

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

1. All documents describing or discussing the size, location, or nature of any sensitive wetlands or other areas sensitive to the environmental effects of the Low Corridor rail line that SUWA asserts exist within two miles to the east of the “North Cedar Mountain roadless area” and within two miles to the east of the currently proposed alignment of the Low Corridor rail line. See Interrogatory No. 7, supra.
2. All documents containing or discussing the scientific and factual basis for SUWA’s belief that the wetlands or other areas identified in response to Interrogatory No. 7 are sensitive to the environmental effects of the Low Corridor rail line.
3. All documents, data or other information related to the claims made by SUWA within the scope of SUWA B that alignment alternatives for the Low Corridor rail line have been inadequately addressed in the PFS Environmental Report or the DEIS.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. Sean Barnett". The signature is written in a cursive style with a horizontal line underneath the name.

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Dated: February 16, 2001

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicant's Second Set of Formal Discovery Requests for Intervenor SUWA" 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 16th day of February 2001.

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Attention: Rulemakings and Adjudications
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* Adjudicatory File
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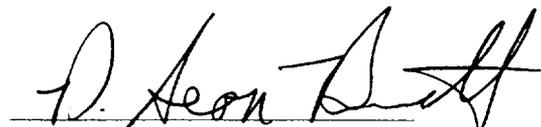
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