

# EGAN, FITZPATRICK, MALSCH & CYNKAR, PLLC

Counselors at Law

The American Center at Tysons Corner  
8300 Boone Boulevard • Suite 340  
Vienna, Virginia 22182  
Tel: (703) 891-4050  
Fax: (703) 891-4055

www.nuclearlawyer.com

1777 N.E. Loop 410 • Suite 600  
San Antonio, Texas 78217  
Tel: (210) 820-2667  
Fax: (210) 820-2668

Joseph R. Egan  
Martin G. Malsch  
Robert J. Cynkar

Charles J. Fitzpatrick  
[cfitzpatrick@nuclearlawyer.com](mailto:cfitzpatrick@nuclearlawyer.com)

June 13, 2006

### FOIA/PA REQUEST

Case No.: 2006-0224  
Date Rec'd: 6-13-06  
Specialist: Ramberg  
Related Case: \_\_\_\_\_

VIA FACSIMILE

FOIA/Privacy Act Officer  
U.S. Nuclear Regulatory Commission  
Mail Stop T-6 D8  
Washington, D.C. 20555-0001

Re: Freedom of Information Act — Request for Documents

To Whom It May Concern:

Pursuant to the Freedom of Information Act ("FOIA"), 55 U.S.C. 552, please provide the following described documents<sup>1</sup>:

In May 2006, the Electric Power Research Institute (EPRI) made public a study entitled "Program on Technology Innovation: Room at the Mountain (Analysis of the Maximum Disposal Capacity for Commercial Spent Nuclear Fuel in a Yucca Mountain Repository)." At page 1-1 of that study, EPRI states: "In addition, several independent analyses by the USDOE and USNRC and EPRI indicate that the current repository design based on spent fuel as a waste form will meet regulatory compliance goals by the USNRC and USEPA.

1. Please identify and provide copies of all independent analyses by NRC which indicate that the current repository design for YMP will meet regulatory compliance goals by the USNRC and USEPA.

This request is made on behalf of the State of Nevada.

The requesting party is willing to pay up to a total amount of \$1,000 for search time and document copying costs without the necessity for further approval. The requesting party has

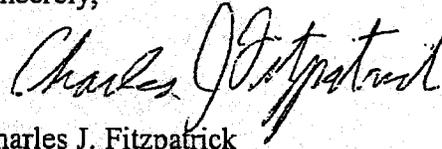
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specifically made this request as narrow as possible in order to facilitate expeditious and timely response by NRC.

Thank you for your prompt attention to this request. If you have any questions, please contact me at 210-820-2667.

Sincerely,



Charles J. Fitzpatrick

CJF:sm

cc: Joseph R. Egan, Esq. (via fax)

Mr. Robert R. Loux (via fax)

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1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda; reports; studies; reviews; analyses; presentations; computer spreadsheets; computer codes; working papers; records; notes; letters; notices; confirmations; telegrams; facsimiles; receipts; appraisals; interoffice and intra-office communications; electronic mail (email); contracts; cables; notations or logs of my type of conversation, telephone call, meeting, or other communication; bulletins; printed matter; computer printouts; teletype; invoices; transcripts; diaries; appointment books; returns; summaries; minutes; bills; accounts; estimates; projections; comparisons; messages; or correspondence. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

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**June 13, 2006**

<b>To: FOIA/Privacy Act Officer</b> <b>Firm Name: U.S. Nuclear Regulatory Commission</b> <b>City &amp; State: Washington, DC</b> <b>Telephone: 301-415-7169</b> <b>Fax No.: 301-415-5130</b>	
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**From: Charles J. Fitzpatrick**

**Total number of pages (including this page):   3**

**Message:**

**Please call us immediately if the fax you receive is incomplete or illegible.**

Please be advised that the information contained in this facsimile is considered to be *confidential* and *proprietary*. If you have received this document in error, please notify *Egan, Fitzpatrick, Malsch & Cynkar* immediately at the above telephone number. We will accept collect calls.