



RELATED CORRESPONDENCE  
UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

DOCKETED  
USNRC

May 27, 1994

'94 MAY 27 P3:13

Stephen M. Duncan, Esq.  
Mays & Valentine  
110 South Union Street  
Alexandria, Virginia 22314

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of  
SEQUOYAH FUELS CORPORATION  
GENERAL ATOMICS  
Docket No. 40-8027-EA

Dear Mr. Duncan:

Enclosed is the "NRC Staff's First Request for Production of Documents and First Set of Interrogatories to General Atomics."

I will be out of the office until June 6, 1994. Please call me at (301) 504-1537 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steven R. Hom".

Steven R. Hom  
Counsel for NRC Staff

Attachment: As stated

cc w/encl: Service List

DESIGNATED ORIGINAL

Certified By DOOS-07CK

SECY-034

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**RELATED CORRESPONDENCE**

May 27, 1994  
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**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

'94 MAY 27 P3:13

**BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of )

SEQUOYAH FUELS CORPORATION )  
GENERAL ATOMICS )

Docket No. 40-8027-EA

(Gore, Oklahoma Site )  
Decontamination and )  
Decommissioning Funding) )

Source Material License  
No. SUB-1010

**NRC STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS  
AND FIRST SET OF INTERROGATORIES TO GENERAL ATOMICS**

Pursuant to 10 C.F.R. §§ 2.740b and 2.741, the NRC Staff (Staff) hereby serves its First Request for Production of Documents and First Set of Interrogatories to General Atomics.

**INSTRUCTIONS AND DEFINITIONS**

1. All responses to this discovery request shall be in accordance with the above-referenced provisions of the Commission's rules of practice, and all other applicable provisions. Responses shall be supplemented in accordance with 10 C.F.R. § 2.740(e).

2. The word "document" as used herein shall mean any written or recorded matter or data or information compilation, whether produced, reproduced, or stored on paper, cards, tapes, disks, film, computer storage devices, or any other medium, and

shall include, without limitation, matter in the form of books, journals, ledgers, reports, studies, statements, speeches, notebooks, agreements, appointment calendars, working papers, manuals, memoranda, notes, procedures, orders, instructions, directions, training materials, records, correspondence, diaries, plans, charts, diagrams, drawings, periodicals, lists, telephone logs, recordings, minutes, photographs, negatives, computer printouts, legal pleadings (other than those filed in this proceeding), and any published materials, and shall also include, without limitation, originals, copies (with or without notes or changes thereon) and drafts.

3. Documents identified by the specifications below shall be produced at the Office of the General Counsel, Room 15B-11, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, within thirty days of service of this discovery request.

4. Although this request calls for original documents, for your convenience identical copies may be supplied on the condition that they are legible in their entirety and the originals are retained in their current state.

5. Documents subject to this request are those under the actual or constructive possession, custody, or control of General Atomics, its subsidiaries (including, but not limited to, Sequoyah Holding Corporation, Sequoyah Fuels International Corporation, and Sequoyah Fuels Corporation), divisions, and operating units, and its officers, directors, agents, representatives, and employees, whether or not such were prepared by or for General Atomics.

6. Nonidentical copies of original documents (containing, for example, comments or notes not part of the original document) are to be considered separate documents to be produced along with the originals or identical copies of the originals.

7. Documents produced shall be segregated and identified by the document specification to which they are responsive. Within the response to a given specification, documents should be identified according to the file(s) in which they were found or are maintained.

8. Each document produced shall be submitted in its entirety even if only a portion of such document is responsive to a particular specification.

9. If documents responsive to a particular specification no longer exist, but are known to have been in existence, state the circumstances under which they were lost or destroyed and identify persons having knowledge of the contents of such documents.

10. With respect to each document responsive to any specification that is not produced by reason of any claim of privilege, or is otherwise withheld, identify such document by its title, type, and subject matter, the names and titles or positions of the persons preparing and receiving it, the date of preparation, and the number of pages, and provide a brief statement as to the reasons that justify withholding it. If only portions of any responsive document are privileged, all non-privileged portions of the document shall be submitted.

11. Documents subject to this request are those prepared, dated, maintained, received, or in use at any time from January 1, 1988, through the present time.

12. Wherever appropriate, the words "and" and "or" shall be construed either in the conjunctive or in the disjunctive, the singular form of a word shall be interpreted in the plural, and vice versa, and the word "his" shall include "her" or "their," and vice versa, so as to bring within the scope of this discovery request any information that might otherwise be construed to be outside its scope.

13. "Relating to" means in whole or in part constituting, containing, embodying, reflecting, identifying, stating, referring to, dealing with, or in any way pertaining to.

14. Each interrogatory shall be answered separately and fully, in writing and under oath or affirmation, and shall include all pertinent information available to General Atomics, its subsidiaries (including, but not limited to, Sequoyah Holding Corporation, Sequoyah Fuels International Corporation, and Sequoyah Fuels Corporation), divisions, and operating units, and its officers, directors, agents, representatives, and employees. Answers to the following interrogatories shall be served within fourteen days of service of this discovery request.

### INTERROGATORIES

#### INTERROGATORY 1

State the name, address, telephone number, position, title, and dates of service in the respective position, of each director, officer, and supervisor of Sequoyah Fuels Corporation (SFC), Sequoyah Fuels International Corporation (SFIC), Sequoyah Holding Corporation (SHC), General Atomics Technologies Corporation, General Atomics Energy Services, and General Atomics (GA) employed at any time after November 1, 1988.

**INTERROGATORY 2**

State the name, address, and telephone number of each shareholder of each of the entities listed in Interrogatory 1, and state the number of shares owned by each shareholder so listed.

**INTERROGATORY 3**

State each and every fact in support of GA's assertion that "SFC would be entitled to an exemption from [10 C.F.R. § 40.36] requirements under 10 C.F.R. § 40.14(a)," in paragraph 12 on page 22 of GA's Answer and Request for Hearing.

**INTERROGATORY 4**

State the name, address, telephone number, position, and title of each person General Atomics intends to call as a witness to testify in this proceeding. For each such person, identify the subject matter and substance of his anticipated testimony.

**INTERROGATORY 5**

State the name, address, telephone number, position, and title of each person who participated in the preparation of the answers to these interrogatories.

**SPECIFICATIONS OF DOCUMENTS TO BE PRODUCED**

1. All complete tax returns filed with the Internal Revenue Service by GA, SHC, and SFIC for the years 1988 through 1993, inclusive.
2. All documents relating to the purchase of SFC from Kerr McGee Corporation in 1988, including, but not limited to, contracts, agreements, correspondence, minutes of shareholder and directors' meetings, and any and all analyses of the purchase.
3. All documents relating to the creation of the parent-subsidary structure or relationships between GA and SHC, SFIC, and SFC.

4. For the period from November 1, 1988 to the present, and for GA, SHC, and SFIC, all:

- a. Audited and unaudited financial statements;
- b. Quarterly, semi-annual, and annual reports;
- c. Filings with the Securities and Exchange Commission;
- d. Minutes of meetings of the board of directors;
- e. Minutes of committee meetings.

5. All documents relating to compensation or remuneration directly or indirectly paid, during the period from November 1, 1988 to the present, by GA, SHC, and SFIC, to any person who performed duties, work, or assignments on behalf of SFC.

6. All documents relating to the direct or indirect management or supervision by GA of SFC's operations and activities under NRC Materials License No. SUB-1010.

7. All documents relating to the establishment or change of any of SFC's corporate policies, strategies, goals, or objectives since November 1, 1988.

8. All documents relating to each communication, during the period from November 1, 1988 to the present, whether written, oral, or otherwise, between GA, SHC, SFIC, or any other non-SFC entity or person, and each person performing duties, work, or assignments on behalf of SFC, relating to such performance.

9. All documents GA intends to introduce in this proceeding in support of GA's assertion that "SFC would be entitled to an exemption from [10 C.F.R. § 40.36]

requirements under 10 C.F.R. § 40.14(a)," in paragraph 12 on page 22 of GA's Answer and Request for Hearing.

10. All documents relating to any direct or indirect transfer or disposition of assets or earnings of SFC during the period November 1, 1988 through the present, to:

- a. GA
- b. SHC
- c. SFIC
- d. Any other direct or indirect subsidiary or affiliate of GA.

11. All documents relating to the "draft agreement" referenced in paragraph 32 on page 12 of GA's Answer and Request for Hearing.

Respectfully submitted,



Steven R. Horn  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 27th day of May 1994



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

'94 MAY 27 P3:13

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of	)	
	)	
SEQUOYAH FUELS CORPORATION	)	Docket No. 40-08027-EA
GENERAL ATOMICS	)	
	)	Source Material License
(Gore, Oklahoma Site Decontamination	)	No. SUB-1010
and Decommissioning Funding)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "NRC STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS AND FIRST SET OF INTERROGATORIES TO GENERAL ATOMICS" in the above-captioned matter have been served on the following by deposit in the United States mail, first class, or as indicated by asterisk through deposit in the Nuclear Regulatory Commission's internal mail system this 27th day of May 1994:

James P. Gleason, Chairman\*  
Administrative Judge  
Atomic Safety and Licensing Board  
Mail Stop: EW-439  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

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U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

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Washington, D. C. 20555

Atomic Safety and Licensing Board  
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