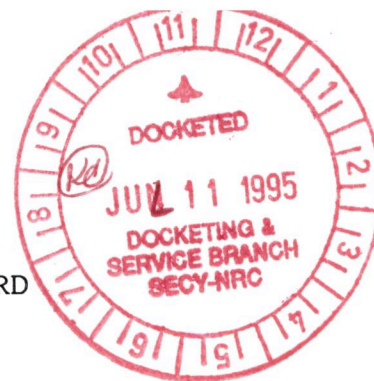


RELATED CORRESPONDENCE

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter Of )

Sequoyah Fuels Corporation )  
and General Atomics )

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

Docket No. 40-8027EA  
Source Materials  
License No. SUB-1010  
July 10, 1995

**NATIVE AMERICANS FOR A CLEAN ENVIRONMENT'S  
AND CHEROKEE NATION'S FIRST SET OF INTERROGATORIES  
AND REQUESTS FOR PRODUCTION OF DOCUMENTS  
TO SEQUOYAH FUELS CORPORATION**

Intervenors, Native Americans for a Clean Environment and the Cherokee Nation, hereby request that Sequoyah Fuels Corporation ("SFC") answer these interrogatories separately, fully, in writing, and under oath within 14 days after service of this request. Intervenors also request that SFC submit a written response to this request for production of documents and produce the requested documents for inspection and photocopying by undersigned counsel at the offices of Harmon, Curran, Gallagher & Spielberg, within 30 days after service of this request.

I. Instructions and Definitions

Each of the following requests is a continuing one pursuant to 10 C.F.R. § 2.740(e) and Intervenors hereby demand that, in the event that at any later date SFC obtains or discovers any additional information which is responsive to these interrogatories and this request for production of documents, SFC

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shall supplement its responses to this request promptly and sufficiently in advance of trial.

Such supplementation shall include, but not be limited to:

A) the identity and location of persons having knowledge of discoverable matters;

B) the identity of each person expected to be called as an expert witness at any hearing, the subject matter on which s/he is expected to testify, and the substance of his/her testimony; and

C) new information which makes any response hereto incorrect.

If you object to or refuse to answer any interrogatory under a claim of privilege, immunity, or for any other reason, please indicate the basis for asserting the objection, privilege, immunity, or other reason, the person on whose behalf the objection, privilege, immunity, or other reason is asserted, and describe the factual basis for asserting the objection, privilege, immunity, or other reason in sufficient detail so as to permit the administrative judges in this matter to ascertain the validity of such assertion.

If you withhold any document covered by this request under a claim of privilege, immunity, or for any other reason, please furnish a list identifying each document for which the privilege, immunity, or other reason is asserted, together with the follow-

ing information: date, author, recipient, persons to whom copies were furnished and the job title of any such persons, the subject matter of the documents, the basis for asserting the privilege, immunity, or other reason, and the name of the person on whose behalf the privilege, immunity, or other reason is asserted.

II.

DEFINITIONS

Each of the following definitions, unless otherwise indicated, applies to and shall be a part of each interrogatory and request for production which follows:

1. "SFC" "you," and "your" refers to Sequoyah Fuels Corporation, its employees, agents, contractors, or any other representatives.

2. The term "documents" means the originals as well as copies of all written, printed, typed, recorded, graphic, photographic, and sound reproduction matter however produced or reproduced and wherever located, over which you have custody or control or over which you have the ultimate right to custody or control. By way of illustration, but not limited thereto, said term includes: records, correspondence, telegrams, telexes, wiring instructions, diaries, notes, interoffice and intraoffice communications, minutes of meetings, instructions, reports, demands, memoranda, data, schedules, notices, recordings, analyses, sketches, manuals, brochures, telephone minutes,

calendars, accounting ledgers, invoices, charts, working papers, computer files, computer printout sheets, information stored in computers or other data storage or processing equipment, microfilm, microfiche, corporate minutes, blueprints, drawings, contracts and any other agreements, rough drafts, and all other writings and papers similar to any of the foregoing, however designated by you. If the document has been prepared and several copies or additional copies have been made that are not identical (or are no longer identical by reason of the subsequent addition of notations or other modifications), each non-identical copy is to be construed as a separate document.

3. "All documents referring or relating to" means all documents that in whole or in part constitute, contain, embody, reflect, identify, state, interpret, discuss, describe, explain, apply to, deal with, evidence, or are in any way pertinent to a given subject.

4. The words "describe" or "identify" shall have the following meanings:

- a. **In connection with a person**, the words "describe" or "identify" mean to state the name, last known business address, last known business telephone number, and last known place of employment and job title;
- b. **In connection with a document**, the words "describe" or "identify" mean to give a description of each document suf-

ficient to uniquely identify it among all of the documents related to this matter, including, but not limited to, the name of the author of the document, the date, title, caption, or other style by which the document is headed, the name of each person and entity which is a signatory to the document, the date on which the document was prepared, signed, and/or executed, the person or persons having possession and/or copies thereof, the person or persons to whom the document was sent, all persons who reviewed the document, the substance and nature of the document, the present custodian of the document, and any other information necessary to adequately identify the document;

**c. In connection with an entity other than a natural person (e.g., corporation, partnership, association, institution, etc.),** the words "describe" or "identify" mean to state the full name, address and telephone number of the principal place of business of such entity.

**d. In connection with any activity, occurrence, or communication,** the words "describe" or "identify" mean to describe the activity, occurrence, or communication, the date of its occurrence, the identity of each person alleged to have had any involvement with or knowledge of the activity, occurrence, or communication, and the identity of any document recording or documenting such activity, occurrence, or communication.

5. "Date" shall mean the exact day, month, and year, if ascertainable, or if not, the best approximation thereof (including by relationship to other events), and the basis for such approximation.

6. "SFC facility" shall mean the Sequoyah Fuels Corporation's uranium processing facility in Gore, Oklahoma.

7. "SFC site" shall mean the site of the Sequoyah Fuels Corporation's uranium processing facility in Gore, Oklahoma.

8. The word "discussion" shall mean communication of any kind, including but not limited to, any spoken, written, or signed form of communication.

9. The word "person" shall include any individual, association, corporation, partnership, joint venture, or any other business or legal entity.

10. Words herein of any gender include all other genders, and the singular form of words encompasses the plural.

11. The words "and" and "or" include the conjunctive "and" as well as the disjunctive "or" and the words "and/or".

12. The discovery sought by this request encompasses material contained in, or which might be derived or ascertained from, the personal files of GA employees, representatives, investigators, and agents.

13. "Identify" when used with respect to a person means state the name, business address, telephone number, position,

title, dates of service in the position, and area of expertise of that person.

## II. General Interrogatories

Interrogatory No. 14: Identify each person who was consulted and/or who supplied information for the answers to these interrogatories and this request for production of documents, and specifically note for which interrogatories and which 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 this discovery request differs from your written answers to this 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 answers to this discovery request.

Interrogatory No. 15: Identify each person whom SFC expects to call as a witness, including any expert witness, at the hearing in this proceeding.

Interrogatory No. 16: Describe the subject matter on which each of the witnesses is expected to testify at the hearing in this proceeding.

Interrogatory No. 17: Describe the substance of the facts and opinions to which each witness is expected to testify and a

summary of the grounds for each opinion, including the documents and all pertinent pages or parts thereof which each witness will rely upon or will otherwise use for his or her testimony at the hearing in this proceeding.

Interrogatory No. 18: Identify each and every document to which you refer or which you have identified in your answers to the foregoing interrogatories, as well as each and every document which you consulted in preparing your answers to the foregoing interrogatories.

### III. Specific Interrogatories

Interrogatory No. 19: Describe all inquiries made by GA, prior to its 1988 purchase of SFC, regarding the nature and extent of chemical and radioactive contamination of the SFC site.

Interrogatory No. 20: Describe all information that SFC provided to GA, prior to GA's purchase of SFC, regarding the nature and extent of radioactive and chemical contamination of the SFC site.

Interrogatory No. 21: When and for what purpose was Sequoyah Fuels Corporation, Marketing Division ("SFC-MD") established?

Interrogatory No. 22: When and for what purpose was Sequoyah Fuels Corporation, Georges Fork Ranch (SFC-GFR") established?

Interrogatory No. 23: Describe the corporate and management relationship between SFC and SFC-MD.

Interrogatory No. 24: Describe the corporate and management relationship between SFC and SFC-GFR.

Interrogatory No. 25: Identify each person who was employed as a director, officer, manager, branch manager or supervisor of SFC-MD after November 1, 1988.

Interrogatory No. 26: Identify each person who was employed as a director, officer, manager, branch manager or supervisor of SFC-GFR after November 1, 1988.

Interrogatory No. 27: Identify each person or corporate agent who was a shareholder of SFC-MD after November 1, 1988, and state the number of shares owned by each shareholder.

Interrogatory No. 28: Identify each person or corporate agent who was a shareholder of SFC-GFR after November 1, 1988, and state the number of shares owned by each shareholder.

Interrogatory No. 29: Please identify all directors, officers, and supervisors of SFC, General Atomics ("GA"), General Atomics Energy Services ("GAES"), General Atomics Energy Services Limited Partnership ("GAESLP"), General Atomics Technologies Corporation ("GATC"), Tenaya Corporation, Sequoyah Fuels International Corporation ("SFIC"), or Sequoyah Fuels Holding Corporation ("SHC") after November 1, 1988, who were also affiliated in any way with SFC or the Kerr-McGee Corporation prior to November 1, 1988. For these individuals, please provide the name, address, telephone number, position, title, and dates of service

in the respective positions with SFC or Kerr-McGee. In addition, please provide the name, address, telephone number, position, title, and dates of service in their respective positions, of any such individuals who remained affiliated in any way with Kerr-McGee after November 1, 1988.

#### IV. Requests for Production of Documents

Request for Production No. 1: Produce each and every document to which you refer or which you have identified in your answers to the foregoing interrogatories, as well as each and every document which you consulted in preparing your answers to the foregoing interrogatories.

Request for Production No. 2: Identify and produce all documents that you will rely on in your testimony in this proceeding.

Request for Production No. 3: Identify and produce all documents relating to the corporate relationship between GA, GAES, GAESLP, GATC, SHC, SFIC, and SFC.

Request for Production No. 4: For the period from November 1, 1988, to the present, and for SFC, SHC, SFIC, ConverDyn, SFC-GFR and SFC-MD, identify and produce all:

- a. Audited and unaudited financial statements;
- b. Quarterly, semi-annual, and annual reports;
- c. Minutes of meetings of the board of directors or its committees;

d. Minutes of any other committees relating to protection of health and safety or the environment.

Request for Production No. 5: Identify and produce all documents relating to the creation of the parent-subsiary structure or relationships between SFC and GA, SFIC, and SHC.

Request for Production No. 6: Identify and produce all documents relating to compensation or remuneration directly or indirectly paid, during the period from November 1, 1988, to the present, by GA, SHC, or SFIC, to any person who performed duties, work, or assignments on behalf of SFC or at the SFC site.

Request for Production No. 7: Identify and produce all documents relating to communication during the period from November 1, 1988, to the present, by GA, SHC, or SFIC, to any person who performed duties, work, or assignments on behalf of SFC or at the SFC site.

Request for Production No. 8: Identify and produce 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.

Request for Production No. 9: With respect to SFC, SFC-MD, or SFC-GFR, identify and produce any and all records of contacts with GA regarding staffing, organizational structure, operations, or adequacy of programs and standards for the protection of health and safety or the environment.

Request for Production No. 10: Identify and produce all documents relating to the establishment or change of any of SFC's NRC license terms; measures for protection of health, safety or the environment; operational methods; or corporate policies, strategies, goals, or objectives.

Request for Production No. 11: Identify and produce 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.

Request for Production No. 12: Identify and produce all documents which SFC provided to GA at the time of GA's purchase of SFC, regarding the nature and extent of contamination at the SFC site.

Request for Production No. 13: Identify and produce all documents related to the creation of SFC-MD.

Request for Production No. 14: Identify and produce all documents related to the creation of SFC-GFR.

Request for Production No. 15: Identify and produce all documents establishing or discussing the corporate relationship between SFC and SFC-MD.

Request for Production No. 16: Identify and produce all documents establishing or discussing the corporate relationship between SFC and SFC-GFR.

Request for Production No. 17: Identify and produce all documents showing ownership of real property in Sequoyah County, Oklahoma, by SFC, SFC-MD, or SFC-GFR, since November 1, 1988.

Request for Production No. 18: Identify and produce all documents showing ownership of real property in Muskogee County, Oklahoma, by SFC, SFC-MD, or SFC-GFR, since November 1, 1988.

Request for Production No. 19: Identify and produce all documents showing ownership of real property in McIntosh County, Oklahoma, by SFC, SFC-MD, or SFC-GFR, since November 1, 1988.

Request for Production No. 20: Identify and produce all documents showing the transfer or ownership of real property in Sequoyah County, Oklahoma, to or from SFC, SFC-MD, or SFC-GFR, since November 1, 1988.

Request for Production No. 21: Identify and produce all documents showing the transfer of ownership of real property in Muskogee County, Oklahoma, to or from SFC, SFC-MD, or SFC-GFR, since November 1, 1988.

Request for Production No. 22: Identify and produce all documents showing the transfer of ownership of real property in McIntosh County, Oklahoma, to or from SFC, SFC-MD, or SFC-GFR, since November 1, 1988.

Request for Production No. 23: Identify and produce all correspondence with the U.S. Department of Energy, since November 1, 1988, which discusses the role of GA in existing or proposed activities at the SFC site.

Request for Production No. 24: Identify and produce all correspondence with the U.S. Environmental Protection Agency ("EPA") since November 1, 1988, which discusses the role of GA in existing or proposed activities at the SFC site.

Request for Production No. 25: Identify and produce all documents which refer to any role taken by GA in the establishment of or implementation of the Administrative Order on Consent which the SFC and EPA entered on July 26, 1993.

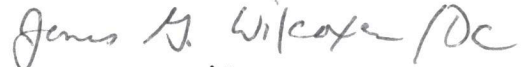
Request for Production No. 26: Identify and produce all documents SFC intends to introduce in this proceeding in support of SFC's assertion that "SFC would be entitled to an exemption from [10 C.F.R. § 40.36] requirements under 10 C.F.R. § 40.14(a), in paragraphs 1 and 2 of SFC's Answer and Request for Hearing (November 2, 1993).

Request for Production No. 27: Identify and produce 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 GA, GAES, GAESLP, Tenaya Corp., SHC, SFIC, SFC-MD, SFC-GFR, or any other direct or indirect subsidiary or affiliate of GA.

Respectfully submitted,



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July 10, 1995

# CERTIFICATE OF SERVICE

I certify that on July 10, 1995, copies of the foregoing NATIVE AMERICANS FOR A CLEAN ENVIRONMENT'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO GENERAL ATOMICS and NATIVE AMERICANS FOR A CLEAN ENVIRONMENT'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO SEQUOYAH FUELS CORPORATION were served by FAX and/or first-class mail or as indicated below on the following:

\*Administrative Judge James P. Gleason  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

\*Administrative Judge G. Paul Bollwerk  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

\*Administrative Judge Jerry R. Kline  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

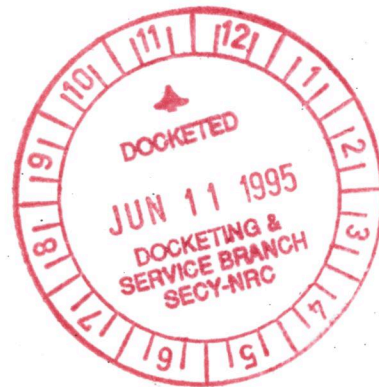
\*Administrative Judge Thomas D. Murphy  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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\_\_\_\_\_  
Diane Curran

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\* also by FAX