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RELATED CORRESPONDENCE

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'94 MAR 28 AM 11:22

In the Matter of )  
 )  
LOUISIANA ENERGY SERVICES, L.P. )  
 )  
(Claiborne Enrichment Center )  
 )

Docket No. 70-3070

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

3/24/94 INTERROGATORIES AND REQUEST FOR  
PRODUCTION OF DOCUMENTS FILED BY CITIZENS  
AGAINST NUCLEAR TRASH AND DIRECTED TO THE  
EXECUTIVE DIRECTOR FOR OPERATIONS AND THE  
NRC STAFF PERTAINING TO CONTENTIONS B AND Q

Intervenor, Citizen's Against Nuclear Trash ("CANT"), hereby submits the following interrogatories and request for production of documents to the Executive Director of Operations and the NRC Staff.

The request for production of documents is submitted to the NRC Staff and the Executive Director for Operations pursuant to 10 C.F.R. § 2.744.

The interrogatories are being filed with the Licensing Board pursuant to 10 C.F.R. § 2.720(h)(2)(ii). CANT requests that the Licensing Board find that answers to these interrogatories are necessary to a proper decision in this proceeding and that answers to the interrogatories are not reasonably obtainable from any other source.

These interrogatories seek to establish the basis for the Staff's review of and decision on the licensing application for the Claiborne Enrichment Center. To our knowledge, the information

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sought in this discovery request cannot be obtained from any publicly available sources.

I.

INSTRUCTIONS

Each of the following requests is a continuing one pursuant to 10 C.F.R. § 2.740(e) and CANT hereby requests that, in the event that at any later date the Executive Director or the NRC Staff obtain or discover any additional information which is responsive to these interrogatories and this request for production of documents, they shall supplement the 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 he is expected to testify, and the substance of his 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 described 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 following 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. "The Executive Director," "the NRC Staff" "you," and "your" refers to the Executive Director of Operations, the NRC Staff and all of 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 tapes, 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. 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 home and business address, last known home and 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 sufficient 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 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 any document recording or documenting such activity, occurrence, or communication.

4. "CEC" shall mean the Claiborne Enrichment Center proposed for Claiborne Parish, Louisiana.

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

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

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

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

III.

GENERAL INTERROGATORIES

INTERROGATORY NO. G-1:

State the name, business address, and job title of 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.

IV.

SPECIFIC INTERROGATORIES

INTERROGATORY NO. B-1:

Please explain your reasons for concluding, and describe all documents upon which you base your conclusion, that the CEC facility "may not prove to be economical." (NUREG-1484 -- "Draft EIS" -- at 4-75.)

INTERROGATORY NO. B-2:

Please describe all cost estimates you have prepared and/or reviewed regarding conversion of the CEC's DUF6 tails into U308 and ultimate disposal of such tails.

INTERROGATORY NO. B-3:

Please describe all feasibility studies you have prepared and/or reviewed regarding the aforementioned conversion and disposal of tails for the CEC facility.

INTERROGATORY NO. B-4:

Please describe all other information and documents you have prepared and/or reviewed regarding the aforementioned conversion and disposal of tails for the CEC facility.

INTERROGATORY NO. B-5:

In light of your conclusion in the Draft FIS that the CEC facility "may not prove to be economical" (suggesting the possibility of operating revenue shortfalls and/or bankruptcy which would preclude tails conversion and disposal during operation of the facility) do you agree that the cost of tails conversion and disposal for the CEC facility should be considered as part of decommissioning costs, rather than as an operating expense? Please explain your answer in detail.

INTERROGATORY NO. Q-1:

Please describe all documents prepared and/or reviewed by you regarding LES's financial qualifications to construct and operate the CEC facility.

V.

REQUEST FOR PRODUCTION OF DOCUMENTS

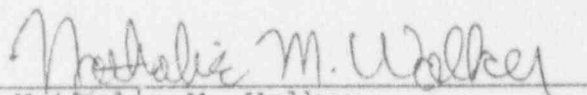
REQUEST FOR PRODUCTION NO.1:

Each and every document to which you refer 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.

Respectfully submitted,

SIERRA CLUB LEGAL DEFENSE FUND, INC.  
400 Magazine Street, Suite 401  
New Orleans, Louisiana 70130  
Telephone: (504) 522-1394

By:

  
Nathalie M. Walker

Attorneys for intervenor,  
Citizens Against Nuclear Trash

March 24, 1994.

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BRANCH

CERTIFICATE OF SERVICE

I hereby certify that copies of the "3/24/94 Interrogatories and Request for Production of Documents filed by Citizens Against Nuclear Trash and Directed to the Executive Director of Operations and the NRC Staff Pertaining to All Admitted Contentions" have been served on this 24th day of March, 1994, as follows:

James Taylor  
Executive Director of Operations  
U.S. Nuclear Regulatory Commission  
17G21  
Washington, D.C. 20555

By first class mail  
1 copy

Administrative Judge  
Morton B. Margulies, Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

By first class mail  
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Administrative Judge  
Richard F. Cole  
Atomic Safety and Licensing Board  
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Administrative Judge  
Frederick J. Shon  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

By first class mail  
1 copy

Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
Attention: Chief, Docketing and  
Service Section

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original plus 2 copies

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

By first class mail  
1 copy

Eugene Holler, Esq.  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

By first class mail  
1 copy

Joseph DiStefano  
Louisiana Energy Services, L.P.  
600 New Hampshire Avenue, N.W.  
Suite 404  
Washington, D.C. 20037

By first class mail  
1 copy

Peter G. LeRoy  
Duke Engineering and Services, Inc.  
230 South Tryon Street  
Post Office Box 1004  
Charlotte, NC 28201-1004

By first class mail  
1 copy

Marcus A. Rowden  
Fried, Frank, Harris, Shriver  
& Jacobsen  
1101 Pennsylvania Avenue, N.W.  
Suite 900 South  
Washington, D.C. 20004

By first class mail  
1 copy

Diane Curran  
Institute for Energy &  
Environmental Research  
6935 Laurel Avenue Suite 204  
Takoma Park MD 20912

By first class mail  
1 copy

Ronald Wascom, Deputy Asst. Secretary  
Louisiana Dept. of Envir. Quality  
Office of Air Quality & Radiation  
Protection  
Post Office Box 82135  
Baton Rouge, LA 70884-2135

By first class mail  
1 copy

J. Michael McGarry, III  
Winston & Strawn  
1400 L Street N W  
Washington, D C 20005

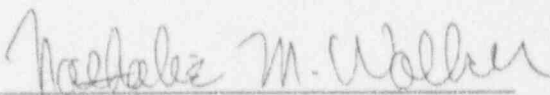
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Adjudicatory File  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

By first class mail  
1 copy

Respectfully submitted,

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400 Magazine Street, Suite 401  
New Orleans, Louisiana 70130  
Telephone: (504) 522-1394

By:   
Nathalie M. Walker

Attorneys for intervenor,  
Citizens Against Nuclear Trash

March 24, 1994.

homer\interr3.nrc