

2199
~~RECEIVED~~ CORRESPONDENCE



OFFICE OF THE
GENERAL COUNSEL

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

DOCKETED
USNRC

'00 SEP 19 P3:00

September 18, 2000

OFFICE OF THE
GENERAL COUNSEL
ADJUTANT GENERAL

Denise Chancellor, Esq.
Assistant Attorney General
Utah Attorney General's Office
160 East 300 South, 5th Floor
P.O. Box 140873
Salt Lake City, UT 84114-0873

In the Matter of
Private Fuel Storage L.L.C.
(Independent Spent Fuel Storage Installation)
Docket No. 72-22-ISFSI

Dear Ms. Chancellor:

Pursuant to my E-mail message of Friday, September 15, 2000, enclosed please find a list of documents in the possession of the NRC Staff ("Staff") which may be responsive to the "State of Utah's Seventh Set of Discovery Requests Directed to the NRC Staff," concerning Contention Utah Z (No Action Alternative). These documents consist of two groups: (a) documents that appear to be available in the public docket, and (b) documents that are being withheld as privileged or otherwise exempt from disclosure under 10 C.F.R. § 2.790.

Documents relating to Utah Contention Z that are in the docket of the Private Fuel Storage ("PFS") proceeding (including legal correspondence, pleadings, Orders, license application submittals, and licensing-related correspondence), are not identified herein. Those materials should already be in the State's possession, due to the State's participation as a party in the PFS proceeding and its inclusion on the PFS and Staff service lists.

In the event that any further documents responsive to the State's discovery requests are identified, they will be forwarded promptly to the State.

Sincerely,

Sherwin E. Turk
Counsel for NRC Staff

Enclosures: As stated

cc w/Encl.: Service List

40

**PUBLICLY AVAILABLE DOCUMENTS
RESPONSIVE TO THE STATE OF UTAH'S
SEVENTH SET OF DISCOVERY REQUESTS
DIRECTED TO THE NRC STAFF**

A. Publicly Available Documents

1. Baltimore Gas and Electric Company, Notice of Issuance of Environmental Assessment and Finding of No Significant Impact for the Calvert Cliffs Independent Spent Fuel Storage Installation at the Calvert Cliffs Nuclear Power Plant. Docket No. 72-8 (50-317/318). March 22, 1991.
2. Public Service Company of Colorado, Notice of Issuance of Environmental Assessment and Finding of No Significant Impact for the Fort St. Vrain Independent Spent Fuel Storage Installation at the Fort St. Vrain Nuclear Generating Station. Docket No. 72-9 (50-267). February 1, 1991.
3. Carolina Power and Light Company, Notice of Issuance of Environmental Assessment and Finding of No Significant Impact for the H. B. Robinson Independent Spent Fuel Storage Installation at the H. B. Robinson Steam Electric Plant. Docket No. 72-3 (50-261). March 31, 1986.
4. Virginia Electric and Power Company, Notice of Issuance of Environmental Assessment and Finding of No Significant Impact for the Independent Spent Fuel Storage Installation at the North Anna Nuclear Power Station. Docket No. 72-16 (50-338/339). March 28, 1997.
5. Duke Power Company, Environmental Assessment Related to the Construction and Operation of the Oconee Nuclear Station Independent Spent Fuel Storage Installation. Docket No. 72-4 (50-269/270/287). October 25, 1988.
6. Northern States Power Company, Notice of Issuance of Environmental Assessment and Finding of No Significant Impact for the Prairie Island Independent Spent Fuel Storage Installation at the Prairie Island Nuclear Generating Plant. Docket No. 72-10 (50-282/306). July 28, 1992.
7. Sacramento Municipal Utility District, Notice of Issuance of Environmental Assessment and Finding of No Significant Impact for the Independent Spent Fuel Storage Installation at the Rancho Seco Nuclear Generating Station. Docket No. 72-11 (50-312). August 5, 1994.
8. Virginia Electric and Power Company, Environmental Assessment Related to the Construction and Operation of the Surry Dry Cask Independent Spent Fuel Storage Installation. Docket No. 72-2. April 12, 1985.
9. Portland General Electric Company, Notice of Issuance of Environmental Assessment and Finding of No Significant Impact for the Independent Spent Fuel Storage Installation at the Trojan Nuclear Plant. Docket No. 72-17 (50-344). November 25, 1996.

10. NUREG-0695, "Environmental Impact Appraisal Related to the Renewal of Materials License SNM-1265 for the Receipt, Storage and Transfer of Spent Fuel," Morris Operation, General Electric Company. Docket No. 70-1308. June 1980.
11. NUREG-1626, "Final Environmental Impact Statement for the Construction and Operation of an Independent Spent Fuel Storage Installation to Store the Three Mile Island Unit 2 Spent Fuel at the Idaho National Engineering and Environmental Laboratory." Docket No. 72-20. March 1998.
12. Statement of Consideration, "Environmental Assessment for Proposed Rule Entitled, 'Storage of Spent Nuclear Fuel in NRC-Approved Storage Casks at Nuclear Power Reactor Sites.'" April (?) 1989.
13. Various Environmental Assessments and Findings of No Significant Impact, related to applications for re-racking or expansion of nuclear reactor spent fuel pools, published in the Federal Register.

**NRC STAFF DOCUMENTS
IDENTIFIED IN RESPONSE TO THE
STATE OF UTAH'S DOCUMENT REQUESTS
CONCERNING UTAH CONTENTION Z (NO ACTION ALTERNATIVE)¹**

B. Documents Withheld Under a Claim of Privilege.²

<u>Date</u>	<u>Author</u>	<u>Recipient</u>	<u>Subject</u>	<u>Privilege Asserted</u>
7/99	NRC/ORNL	--	Status Draft of PFS Draft Environmental Impact Statement, Section 4.2, "Potential Impacts of the No-Action Alternative."	PD
9/99	BIA/SAIC	ORNL	Written Comments on the July 1999 Status Draft EIS	PD
11/23/99	L. McCold	G. Zimmerman	E-mail including new draft text on the EIS	PD
12/99	NRC/ORNL	--	Preliminary Draft of DEIS, Section 4.3, "Potential Impacts of the No-Action Alternative."	PD
1/00	BIA/SAIC	NRC/ORNL	Response to PDEIS Review Questions	PD
12/99	NRC/ORNL	--	Preliminary Draft of DEIS, Section 4.3, "Potential Impacts of the No-Action Alternative."	PD
12/99	S. Turk	NRC/ORNL	Attorney Comments on DEIS, Section 4.3, "Potential Impacts of the No-Action Alternative."	AC, AWP, PD

¹ Organizations are abbreviated herein as follows: NRC Staff - "NRC"; Private Fuel Storage, L.L.C. - "PFS"; Oak Ridge National Laboratory - "ORNL"; Bureau of Indian Affairs - "BIA"; Science Applications International Corp. - "SAIC".

² The following abbreviations are used herein: AC - attorney-client privilege; AWP - attorney work product; PD - predecisional deliberative process.

2/00	NRC/ORNL	--	Internal Review Draft of DEIS, Section 4.3, "Potential Impact of the No-Action Alternative."	PD
2/00	NRC/ORNL	--	Internal Review Draft of DEIS, Section 4.3, "Potential Impact of the No-Action Alternative."	PD
3/00	NRC/ORNL	--	Internal Review Draft of DEIS, Section 4.3, "Potential Impact of the No-Action Alternative."	PD
3/00	BIA/SAIC	NRC/ORNL	Written Comments on Internal Review DEIS	PD
4/6/00	S. Flanders	G. Zimmerman	E-mail containing comments on DEIS, Section 4.3, "Potential Impact of the No-Action Alternative."	PD
3/00	NRC/ORNL	--	Internal Review Draft of DEIS, Section 4.3, "Potential Impact of the No-Action Alternative."	PD
6/00	NRC/ORNL	--	Internal Review Draft of DEIS, Section 6.7, "Potential Impact of the No-Action Alternative."	PD
6/00	NRC/ORNL	--	Internal Review Draft of DEIS, Section 6.7, "Potential Impact of the No-Action Alternative."	PD
6/00	NRC/ORNL	--	Internal Review Draft of DEIS, Section 6.7, "Potential Impact of the No-Action Alternative."	PD