

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

September 8, 2004 (11:13AM)

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

---

In the Matter of

Docket No. 70-3103

Louisiana Energy Services, L.P.  
National Enrichment Facility

ASLBP No. 04-826-01-ML

---

INITIAL DISCLOSURE PURSUANT TO  
10 CFR 2.704(a)  
ON BEHALF OF  
PETITIONERS  
NUCLEAR INFORMATION AND RESOURCE SERVICE  
AND PUBLIC CITIZEN

Pursuant to 10 CFR 2.704 and the Hearing Order dated January 30, 2004, Petitioners Nuclear Information and Resource Service and Public Citizen ("NIRS/PC") hereby make the disclosure required by 10 CFR 2.704. This disclosure is made based upon the information now reasonably available to NIRS/PC. The persons listed below may be used at trial to present evidence under 10 CFR 2.711.

1. Persons likely to have discoverable information relevant to disputed issues alleged with particularity in the pleadings are as follows:

- a. George Rice  
414 East French Place  
San Antonio, TX 78212  
(210) 737-6180

Subjects: Ground and surface water hydrology

- b. Arjun Makhijani  
Institute for Energy and Environmental Research  
6935 Laurel Ave., Suite 201

Takoma Park, MD 20912  
(301) 270-5500

Subjects: Depleted uranium conversion and disposal

- c. Charles Komanoff  
636 Broadway  
Room 602  
New York, NY 10012  
(212) 260-5237

Subjects: Energy markets and economics of energy production; costs of  
deconversion and disposal

- d. Michael F. Sheehan  
33126 Callahan Road  
Scappoose, OR 97056  
(503) 543-7172

Subjects: Energy markets and projections; business planning

2. Documents relevant to disputed issues alleged with particularity in the pleadings are as follows. Documents not separately listed include the materials in the initial and revised applications by LES and responses to requests for additional information. In addition:

- a. Documents principally related to ground and surface water issues are:

1. Davis, S.N., and R.J.M. DeWiest, 1966, *Hydrogeology*.
2. EPA 1998, Safe Drinking Water is in Our Hands, Existing Standards and Future Priorities, EPA 815-F-98-007, June 1998.
3. Leedshill-Herkenhoff, Inc., John Shomaker & Associates, Inc., Montgomery & Andrews, P.A., 2000, *Lea County Regional Water Plan*, prepared for Lea County Water Users Association, December 7, 2000.
4. Linsley, R. K., Kohler, M. A., and Paulhus, J. L. H., 1958; *Hydrology for Engineers*, McGraw-Hill Book Company.
5. Louisiana Energy Services, 2003c, National Enrichment Facility Wall Map; December 2003, downloaded from:  
<http://www.nrc.gov/materials/fuel-cycle-fac/licapp-envir-rpts.html>.
6. Nicholson, A., and A. Clebsch Jr., 1961, *Geology and Ground-Water Conditions in Southern Lea County, New Mexico*; Ground-Water

Report 6, New Mexico Bureau of Mines and Mineral Resources, 1961.

7. Walvoord, 2002, Deep Arid System Hydrodynamics, *Water Resources Research*, vol. 38, No. 12.
8. Lea County Regional Water Plan (appendices K-Q transmitted in hard copy), <http://www.seo.state.nm.us/water-info/NMWaterPlanning/regions/leacounty/leacnty-menu.html>
9. Water Supply System Study, City of Eunice, New Mexico, Ross Group Consulting Engineers, March 1999.

b. Documents principally related to deconversion and disposal strategies and costs:

1. Comments of IEER on the proposed uranium enrichment plant in New Mexico, <http://www.ieer.org/comments/uenrichnm.html>
2. Comments of IEER to the NRC on white papers presented by LES regarding the proposed enrichment plant at Hartsville, Trousdale County, Tennessee, <http://www.ieer.org/comments/LESNov02.html>
3. U.S. DOE, "Transuranic Waste", <http://web.em.doe.gov/idb97/chap3.html>
4. U.S. DOE, Depleted UF6 Guide, <http://web.ead.anl.gov/uranium/guide/index/cfm>
5. Article, Urenco's avoided disposal cost, <http://www.antenna.nl/wise/uranium/dhap991.html>
6. Poison in the Vadose Zone, Makhijani and Boyd, <http://www.ieer.org/reports/poison/toc.html>
7. Containing the Cold War Mess, Fiorovanti and Makhijani, Oct. 1997, <http://www.ieer.org/reports/cleanup/ccwm.pdf>
8. "Ohio Says N.M. Can Keep Its Nuclear Waste, Albuquerque Journal, Jan. 17, 2004.
9. DOE/EIS-0359: Final Environmental Impact Statement for construction and Operation of a Depleted Uranium Hexafluoride Conversion Facility at the Paducah, Kentucky, Site (June 2004), <http://www.eh.doe.gov/nepa/eis/eis0359/index.html>
10. DOE/EIS-0360: Final Environmental Impact Statement for Construction and Operation of a Depleted Uranium Hexafluoride Conversion "Facility at Portsmouth, Ohio, Site (June 2004), <http://www.eh.doe.gov/nepa/eis/eis360/index.html>
11. DOE, Record of Decision for construction and operation of a depleted uranium hexafluoride conversion facility at the Paducah, KY, Site, Federal Register, July 27, 2004
12. DOE, Record of Decision for construction and operation of a depleted uranium hexafluoride conversion facility at the Portsmouth, OH, Site, Federal Register, July 27, 2004.
13. LES white papers concerning licensing issues, NRC ADAMS listings ML0223500510, ML0214802980.

14. Letter, R.C. Pierson, NRC, to Rod Krich, LES (March 24, 2003).
15. Letter, W.D. Magwood, IV, DOE, to M.J. Virgilio, NRC (July 25, 2002).
16. Advanced Systems Technology, Inc. *Comments received on the proposed rule on radiological criteria for decommissioning and related documents*. NUREG/CR-6353. Washington, DC: U.S. Nuclear Regulatory Commission, March 1996.
17. Ames, L. L., and D. Rai. 1978. *Radionuclide Interactions with Soil and Rock Media*. EPA 520/6-78-007, U.S. Environmental Protection Agency, Office of Radiation Programs, Las Vegas, Nevada.
18. Andersson PS, Porcelli D, Gustafsson O, Ingri J, Wasserburg GJ, The Importance of colloids for the behavior of uranium isotopes in the low-salinity zone of a stable estuary, *Geochimica et cosmochimica acta* 65 (1): 13-25, Jan 2001.
19. Arfsten, Darryl P., Kenneth R. Still, and Glenn D. Ritchie, A review of the effects of uranium and depleted uranium exposure on reproduction and fetal development. *Toxicology and industrial health*, v. 17, pp.180-191, 2001.
20. Atkinson, A. 1983. "Mathematical Modeling of Leaching From Porous Nuclear Waste-Forms." *Radioactive Waste Management and the Nuclear Fuel Cycle*, 3:371-386.
21. Ball, J. W., E. A. Jenne, and M. W. Cantrell. *WATEQ3: A Geochemical Model with Uranium Added*. Open-File Report 81-1183, U.S. Geological Survey, Menlo Park, California, 1981.
22. Ball, J. W., D. K. Nordstrom, and E. A. Jenne. *Additional and Revised Thermochemical Data and Computer Code for WATEQ2--A Computerized Chemical Model for Trace and Major Element Speciation and Mineral Equilibria of Natural Waters*. Water Resources Investigations WRI 78-116 (second printing), U.S. Geological Survey, Menlo Park, California, 1981.
23. Bangart, Richard L. Memorandum for Richard E. Cunningham. Subject: *Disposition of depleted uranium for Louisiana Energy Services (LES) license application*. Washington, DC: U.S. Nuclear Regulatory Commission, January 12, 1993.
24. Buck, J. W., G. Whelan, J. G. Droppo, Jr., D. L. Streng, K. J. Castleton, J. P. McDonald, C. Sato, and G. P. Streile. 1995. *Multimedia Environmental Pollutant Assessment System (MEPAS): Application Guidance -- Guidelines for Evaluating MEPAS Input Parameters for Version 3.1*. PNL-10395, Pacific Northwest National Laboratory, Richland, Washington.
25. Documents at this site: DUF6 Management Program Web Site: <http://web.ead.anl.gov/uranium>
26. DOE/EIS-0269 Draft. U.S. Department of Energy. *Draft programmatic environmental impact statement for alternative strategies for the long-term management and use of depleted uranium hexafluoride*. DOE/EIS-0269. Germantown, MD: U.S.

- Department of Energy, Office of Nuclear Energy, Science and Technology, December 1997.
27. DOE/EIS-0269 Final. U.S. Department of Energy. *Final programmatic environmental impact statement for alternative strategies for the long-term management and use of depleted uranium hexafluoride*. DOE/EIS-0269. Germantown, MD: U.S. Department of Energy, Office of Nuclear Energy, Science and Technology, April 1999. On the Web at <http://web.ead.anl.gov/uranium/documents/nepacomp/peis/index.cfm>
  28. DOE/EM. U.S. Department of Energy Environmental Management, *Uranium Enrichment Decontamination and Decommissioning Fund: FY 2004 Congressional Budget*, online at <http://www.mbe.doe.gov/budget/04budget/content/uednd/ued&d.pdf>.
  29. DOE/EM. *Information Package on Pending Low-Level Waste and Mixed Low-Level Waste Disposal Decisions to be made under DOE's Final Waste Management Programmatic Environmental Impact Statement*. Washington, DC: United States Department of Energy, Office of Environmental Management, September 1998, online at <http://web.em.doe.gov/em30/info.html>.
  30. DOE/EM. Documents at this site: "Paths to Closure": <http://www.em.doe.gov/closure/>.
  31. DOE/IG-0642. U.S. Department of Energy, Office of Inspector General, Office of Audit Services, *Audit Report: Depleted Uranium Hexafluoride Conversion*, March 2004 (DOE/IG-0642). Online at <http://www.ig.doe.gov/pdf/ig-0642.pdf>.
  32. Jose L. Domingo. "Reproductive and developmental toxicity of natural and depleted uranium: a review." *Reproductive toxicology*, v. 15, pp. 603, 2001.
  33. J.W. Dubrin, J.N. Zoller, L. Rahm-Crites, *Engineering Analysis Report for the Long-Term Management of Depleted Uranium Hexafluoride Vols. I and II*, Lawrence Livermore National Laboratory, May 1997 (UCRL-AR-124080).
  34. Echevarria G, Sheppard MI, Morel J, Effect of pH on the sorption of uranium in soils, *Journal of environmental radioactivity* 53 (2): 257-264, 2001.
  35. Hatem Elayat, Julie Zoller, Lisa Szytel, *Cost Analysis Report for the Long-term Management of Depleted Uranium Hexafluoride*, Lawrence Livermore National Laboratory, May 1997 (UCRL-ID-127650).
  36. Elder, H.K., *Technology, Safety and Costs of Decommissioning a Reference Uranium Hexafluoride Conversion Plant*, NUREG/CR-1757. Richland, WA: Pacific Northwest Laboratory, October 1981.
  37. Envirosphere Company, *Update of Part 61 Analysis methodology*. Vol. 1 prepared by O.I. Oztunali, W.D. Pon, R. Eng, G.W. Roles; Vol. 2 by O.I. Oztunali & G.W. Roles. NUREG/CR-4370.

- Washington, DC: U.S. Nuclear Regulatory Commission, January 1986: Vols. 1 & 2.
38. U.S. Environmental Protection Agency. *Understanding variation in partition coefficient, K<sub>d</sub> values*. Vols. I. & II. EPA 402-R-99-004 A&B. Washington, DC: United States Environmental Protection Agency, Office of Air and Radiation, August 1999. On the Web at <http://www.epa.gov/radiation/cleanup/partition.htm>.
  39. EPRI (Electric Power Research Institute). 1991. *Use of Batch and Column Methodologies to Assess Utility Waste Leaching and Subsurface Chemical Attenuation*. EPRI EN-7313, Electric Power Research Institute, Palo Alto, California.
  40. Yawar H. Faraz. *Affidavit*: United States of America, Nuclear Regulatory Commission, before the Atomic Safety and Licensing Board, In the Matter of Louisiana Energy Services, L.P. (Claiborne Enrichment Center) Docket No. 70-3070-ML. February 14, 1995.
  41. S.M. Folga and P.H. Kier, *Engineering Analysis for Disposal of Depleted Uranium Tetrafluoride (UF<sub>4</sub>)*, Argonne National Laboratory, June 2001 (ANL/EAD/TM-106).
  42. General Accounting Office, *Nuclear Regulation: Better Oversight Needed to Ensure Accumulation of Funds to Decommission Nuclear Power Plants*, May 1999 (GAO/RCED-99-75).
  43. General Accounting Office, *Nuclear Regulation: NRC Needs More Effective Analysis to Ensure Accumulation of Funds to Decommission Nuclear Power Plants*, October 2003 (GAO-04-32).
  44. General Accounting Office, *Uranium Enrichment: Analysis of Decontamination and Decommissioning Scenarios*, November 1991 (GAO/RCED-92-77BR).
  45. General Accounting Office, *Comments on Proposed Legislation to Restructure DOE's Uranium Enrichment Program*, Statement of Judy A. England-Joseph, October 29, 1991 (GAO/T-RCED-92-14), online at <http://161.203.16.4/t2pbat7/145216.pdf>.
  46. General Accounting Office, *Nuclear Waste Cleanup: DOE Has Made Some Progress in Cleaning Up the Paducah Site, but Challenges Remain*, April 2004 (GAO-04-457).
  47. General Accounting Office, *Uranium Enrichment: Decontamination and Decommissioning Fund Is Insufficient to Cover Cleanup Costs*, July 2004 (GAO-04-692).
  48. Hightower, J. R. and J. R. Trabalka, *Depleted Uranium Storage and Disposal Trade Study: Summary Report*, Oak Ridge National Laboratory, February 2000 (ORNL/TM-2000/10).
  49. Jakubick AT, Jenk U, Kahnt R, *Modelling of mine flooding and consequences in the mine hydrogeological environment: flooding of the Koenigstein mine, Germany*, *Environmental geology* 42 (2-3): 222-234, June 2002.

50. KBS, *Handling and final storage of unprocessed spent nuclear fuel*. Stockholm, Sweden : Kärn-Bränsle-Säkerhet, [1978?] Volume II –Technical.
51. Keane, M.P., D. Lillian, F.P. Falci, K.B. Sorenson and G.F. Hohnstreiter, Multipurpose Storage/Transport/Disposal Packages for DOE Nuclear Low Level Wastes: An Emerging Need and a Regulatory Challenge, *International Journal of Radioactive Materials Transport* 7(1), pp 7-12 (1996). Paper abstract at <http://www.ramtrans.org.uk/rmta/rmta1996717.html>.
52. Kocher, D.C., and A.G. Croff. *A proposed classification system for high-level and other radioactive wastes*. ORNL/TM-10289. DE87 011957. Oak Ridge, TN: Oak Ridge National Laboratory operated by Martin Marietta Energy Systems, inc., June 1987.
53. Kozak, Matthew W. Letter to Fred Ross (Nuclear Regulatory Commission). December 16, 1992. Cover letter enclosing the “final report on the performance assessment of the proposed disposal of depleted uranium as Class A low-level waste” and discussing comments received from the NRC.
54. Kozak, Matthew W., Thomas A. Feeney, Harlan W. Stockman, Christi D. Leigh. *Performance assessment of the proposed disposal of depleted uranium as Class A low-level waste*. FIN A1764 Draft Letter Report submitted July 10, 1992 to F.W. Ross (Low-Level Waste Management Branch, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission). Albuquerque, NM: Sandia National Laboratories, 1992.
55. Kozak, Matthew W., Thomas A. Feeney, Christi D. Leigh, Harlan W. Stockman. *Performance assessment of the proposed disposal of depleted uranium as Class A Low-level Waste*. FIN A1764 Final Letter Report submitted December 16, 1992 to F.W. Ross (Low-Level Waste Management Branch, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission). Albuquerque, NM: Sandia National Laboratories, 1992.
56. LES. We may refer to materials filed by LES in the CEC case, which are in possession of NRC.
57. Lindenmeier, C. W., R. J. Serne, J. L. Conca, A. T. Owen, and M. I. Wood. 1995. *Solid Waste Leach Characteristics and Contaminant-Sediment Interactions Volume 2: Contaminant Transport under Unsaturated Moisture Contents*. PNL-10722, Pacific Northwest Laboratory, Richland, Washington.
58. McClain, D.E., K.A. Benson, T.K. Dalton, J. Ejnik, C.A. Emond, S.J. Hodge, JF. Kalinich, M.A. Landauer, A.C. Miller, T.C. Pellmar, M.D. Stewart, V. Villa, J. Xu. “Biological effects of embedded depleted uranium (DU): summary of Armed Forces Radiobiology Research Institute research.” *The science of the total environment*, v. 274, pp. 115-118, 2001.

59. McGuire, Stephen A. *Chemical toxicity of uranium hexafluoride compared to acute effects of radiation: final report*. NUREG-1391. Washington, DC: Division of Regulatory Applications, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, February 1991.
60. Miller AC, Fuciarelli AF, Jackson WE, Ejnik EJ, Emond C, Strocko S, Hogan J, Page N, Pellmar T. Urinary and serum mutagenicity studies with rats implanted with depleted uranium or tantalum pellets. *Mutagenesis* 1998 Nov;13(6):643-8.
61. Miller AC, Blakely WF, Livengood D, Whittaker T, Xu J, Ejnik JW, Hamilton MM, Parlette E, John TS, Gerstenberg HM, Hsu H. Transformation of human osteoblast cells to the tumorigenic phenotype by depleted uranium-uranyl chloride. *Environmental Health Perspectives* 1998 Aug;106(8):465-71.
62. Miller AC, Xu J, Stewart M, Edmond C, Hodge S, Matthews M, Kalinich JF, McClain DE. Potential Health Effects of the Heavy Metals, Depleted Uranium and Tungsten, Used in Armor-Piercing Munitions: Comparison of Neoplastic Transformation, Mutagenicity, Genomic Instability, and Oncogenesis. *Metal Ions* 6:09-211, 2000.
63. Miller AC, Mog S, McKinney L, Luo L, Allen J, Xu J, Page N. Neoplastic transformation of human osteoblast cells to the tumorigenic phenotype by heavy metal-tungsten alloy particles: induction of genotoxic effects. *Carcinogenesis* 22(1):115-25, Jan. 2001.
64. Miller AC, Stewart M, Brooks K, Shi L, Page N. Depleted uranium-catalyzed oxidative DNA damage: absence of significant alpha particle decay. *Journal of Inorganic Biochemistry* 91(1):246-52, July 25, 2002.
65. Miller AC, Xu J, Stewart M, Prasanna PG, Page N. Potential late health effects of depleted uranium and tungsten used in armor-piercing munitions: comparison of neoplastic transformation and genotoxicity with the known carcinogen nickel. *Military Medicine* 167(2 Suppl):120-2, Feb. 2002.
66. Miller AC, Xu J, Stewart M, Brooks K, Hodge S, Shi L, Page N, McClain D. Observation of radiation-specific damage in human cells exposed to depleted uranium: dicentric frequency and neoplastic transformation as endpoints. *Radiation Protection Dosimetry* 99(1-4):275-8, 2002.
67. Miller AC, Brooks K, Stewart M, Anderson B, Shi L, McClain D, Page N. Genomic instability in human osteoblast cells after exposure to depleted uranium: delayed lethality and micronuclei formation. *Journal of Environmental Radioactivity* 64(2-3):247-59, 2003.
68. Miller A, Kalinich J, Hodge S, Le Blanc B, Brooks K, Stewart M, Marin S, Hei T, McClain D (2003): Radiation-induced effects of



- depleted uranium in vitro: The involvement of bystanders and instability. *Toxicol sci* 72 (1): 1363 Suppl S.
69. Miller AC, Brooks K, Smith J, Page N: Effect of the militarily-relevant heavy metals, depleted uranium and heavy metal tungsten-alloy on gene expression in human liver carcinoma cells (HepG2). *Mol Cell Biochem* 255(1-2):247-56, January 2004.
  70. F.A. Monette et. al., *Environmental Impacts of Options for Disposal of Depleted Uranium Tetrafluoride (UF<sub>4</sub>)*, Argonne National Laboratory, June 2001 (ANL/EAD/TM-104). Online at <http://web.ead.anl.gov/uranium/pdf/ANL-EAD-TM-104.pdf>.
  71. Nuclear Energy Agency, *Decommissioning Nuclear Power Plants: Policies, Strategies and Costs*, Paris: Organization for Economic Cooperation and Development, 2003. Online at <http://www1.oecd.org/publications/e-book/6603221E.PDF>.
  72. Novak, Craig F., Robert C. Moore, R. Vann Bynum. "Prediction of dissolved actinide concentrations in concentrated electrolyte solutions: a conceptual model and model results for the Waste Isolation Pilot Plant (WIPP). Revised 25 October 1996. Notes at foot: SWCF-A: 1.1.10.1.1: TD QA: Data from Thermodynamic Predictions of Actinide Solubilities: WPA 38628. File: 960404 Winnipeg MS TD v2.
  73. U.S. Nuclear Regulatory Commission. *Draft environmental impact statement on 10 CFR Part 61 "Licensing requirements for land disposal of radioactive waste"*: NUREG-0782, Washington, DC: U.S. Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, September 1981.
  74. U.S. Nuclear Regulatory Commission. *Final environmental impact statement on 10 CFR Part 61 "Licensing requirements for land disposal of radioactive waste"*: NUREG-0945, Washington, DC: U.S. Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, November 1982.
  75. U.S. Nuclear Regulatory Commission. *Update of Part 61 Impact Assessment Methodology*. NUREG/CR-4370-V1, New York, Envirosphere Co. January 1986.
  76. U.S. Nuclear Regulatory Commission. "10 CFR Parts 2, 19, 20, 21, 30, 40, 51, 61, 70, 73, and 170: Licensing requirements for land disposal of radioactive waste: Proposed rule." In *Federal Register*, vol. 46, no. 142, July 24, 1981. p. 38081.
  77. U.S. Nuclear Regulatory Commission. *Final Generic Environmental Impact Statement on decommissioning of nuclear facilities*. NUREG-0586. Washington, DC: NRC, Office of Nuclear Regulatory Research, August 1988.
  78. U.S. Nuclear Regulatory Commission. *Site decommissioning management plan*. NUREG-1444. Washington, DC: Division of Low-Level Waste Management and Decommissioning, Office of

- Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, October 1993 (and supplement No. 1).
79. National Research Council, *Affordable Cleanup? Opportunities for Cost Reduction in the Decontamination and Decommissioning of the Nation's Uranium Enrichment Facilities*, Washington, D.C.: National Academy of Press, 1996.
  80. Payne TE, Edis R, Fenton BR, Waite TD, Comparison of laboratory uranium sorption data with 'in situ distribution coefficients' at the Koongarra uranium deposit, Northern Australia, *Journal of environmental radioactivity* 57 (1): 35-55, 2001.
  81. Pellmar TC, Keyser DO, Emery C, Hogan JB. Electrophysiological changes in hippocampal slices isolated from rats embedded with depleted uranium fragments. *Neurotoxicology* 20(5):785-92, October, 1999.
  82. Peterson, S. R., C. J. Hostetler, W. J. Deutsch, and C. E. Cowan. 1987a. *MINTEQ User's Manual*. NUREG/CR-4808 (PNL-6106), Pacific Northwest Laboratory, Richland, Washington.
  83. Peterson, S. R., W. J. Martin, and R. J. Serne. 1986. *Predictive Geochemical Modeling of Contaminant Concentrations in Laboratory Columns and in Plumes Migrating from Uranium Mill Tailings Waste Impoundments*. NUREG/CR-4520 (PNL-5788), prepared by the Pacific Northwest Laboratory, Richland, Washington.
  84. Read, D, P. J. Hooker, M. Ivanovich, and A. E. Milodowski. 1991. "A Natural Analogue Study of Abandoned Uranium Mine in Cornwall, England." *Radiochimica Acta*, 52/53:349-356.
  85. TLG Services, Inc. Trends in Nuclear Decommissioning Costs, Bridgewater, CT, [undated]. Online at <http://www.tlgservices.com/corprate/trends.htm>. Viewed 9-1-04.
  86. United Kingdom Health and Safety Executive, *A Review by HM Nuclear Installations Inspectorate of the British Energy plc's Strategy for Decommissioning of its Nuclear Licenced Sites*, June 2001. Online at <http://www.hse.gov.uk/nsd/beqqr.pdf>.
  87. Vaaramaa K, Lehto J, Ervanne H, Soluble and particle-bound U-234, U-238, Ra-226 and Po-210 in ground waters, *Radiochimica Acta* 91 (1): 21-27, 2003.
  88. Westinghouse Hanford Company. *Hanford Site Solid Waste Acceptance Criteria*. WHC-EP-0063-4. UC-721. Richland, WA: WHC, November 1993, with changed pages dated Jun 21 94 and Jan 23 1995. Section 3.0, Low-level waste acceptance criteria.
  89. Whelan, G., J. W. Buck, D. L. Strenge, J. G. Droppo, Jr., B. L. Hoopes, and R. J. Aiken. 1992. "An Overview of the Multimedia Assessment Methodology MEPAS." *Hazardous Waste and Hazardous Materials*, 9(2):191-208.
  90. Whelan, G., J. P. McDonald, and C. Sato. 1996. *Multimedia Environmental Pollutant Assessment System (MEPAS)*:

- Groundwater Pathway Formulations*. PNNL-10907, Pacific Northwest National Laboratory, Richland, Washington.
91. World Bank, *Decommissioning of Nuclear Power Facilities*, Industry and Energy Department Working Paper Energy Series Paper No. 28, April 1990.
  92. Yu, C., C. Loureiro\*, J.-J. Cheng, L.G. Jones, Y.Y. Wang, Y.P. Chia, and E. Faillace. *Data Collection Handbook to Support Modeling Impacts Of Radioactive Material In Soil*. Argonne, IL: Environmental Assessment and Information Sciences Division, Argonne National Laboratory, April 1993. On the Web at [http://web.ead.anl.gov/resrad/documents/data\\_collection.pdf](http://web.ead.anl.gov/resrad/documents/data_collection.pdf).
  93. Zhu C, Hu FQ, Burden DS, Multi-component reactive transport modeling of natural attenuation of an acid groundwater plume at a uranium mill tailings site, *Journal of contaminant hydrology* 52 (1-4): 85-108, November 2001.
  94. Zhu C, Anderson GM, Burden DS, Natural attenuation reactions at a uranium mill tailings site, western USA, *Ground water* 40 (1): 5-13, January-February 2002.
  95. Zhu C, A case against K-d-based transport models: natural attenuation at a mill tailings site, *Computers & geosciences* 29 (3): 351-359, April 2003.
  96. Zoller, J N; Rosen,R S; Holliday,MA and others, *Depleted Uranium Hexafluoride Management Program. The technology assessment report for the long-term management of depleted uranium hexafluoride*. Volume 1, UCRL-AR-120372- VOL.1; Volume 2, UCRL- AR-120372-VOL.2, Livermore, CA: Lawrence Livermore National Laboratory June 30, 1995.

c. Documents principally related to the market for uranium enrichment services:

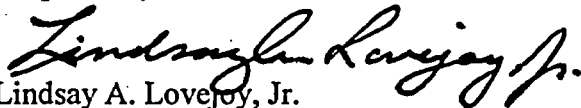
1. Letter, Ted Strickland to Hon. Richard Cheney, May 15, 2001; <http://www.house.gov/strickland/05.15.01-nuclearfuelletter.html>
2. Press Release, The White House, Aug. 31, 1992, U.S. Russian Agreement on Highly Enriched Uranium, <http://dosfan.lib.uic.edu/acda/factshee/wmd/nuclear/ctr/sandy2.htm>
3. F.L. Wehling, The Way Forward for U.S.-Russian Nonproliferation Cooperation, April 20, 2001, <http://www.cns.miis.edu/pubs/reports/wehl.htm>
4. DOE Inks Agreement to Ensure Domestic Uranium Enrichment Capacity is Maintained; Nuclear Nonproliferation Programs in Russia to Benefit, June 18, 2002, [http://www.energy.gov/engine/content.do?PUBLIC\\_ID=13023&BT\\_CODE=PR\\_PRESSRELEASES&TT...](http://www.energy.gov/engine/content.do?PUBLIC_ID=13023&BT_CODE=PR_PRESSRELEASES&TT...)
5. Press Release, U.S. Department of State, United States and Russia agree on New Contract Terms for the Highly-enriched Uranium

Agreement, June 19, 2002,  
<http://www.state.gov/r/pa/prs/ps/2002/11255.htm>

6. USEC Inc. submission, March 28, 2001, on Implementation of the U.S.-Russian HEU Purchase Program (Megatons to Megawatts), to U.S. Senate Committee on Foreign Relations
7. Effect of U.S./Russia Highly Enriched Uranium Agreement, report to Congress on the effects of the HEU agreement on the domestic nuclear fuel industries, Dec. 31, 2001.
8. In re Hydro Resources, Inc., Dkt. No. 40-8968-ML, ASLBP No. 95-706-01-ML, Brief in Opposition to HRI Application for a Materials License.
9. Nuclear Power Generation and Fuel Cycle Report, 1996, DOE/EIA-0436(96).
10. EIA Report, World Nuclear Outlook 1995.
11. EIA Report, Nuclear Power Generation and Fuel Cycle Report 1997.
12. EIA Report, International Energy Outlook 1998.
13. EIA Report, Atomic Energy Outlook 1994 with Projections to 2010.
14. EIA Report, World Nuclear Outlook 1994.
15. EIA Report, Atomic Energy Outlook 1999 with Projections to 2020.
16. EIA Report, Monthly Energy Reviews.
17. EIA Report, Analysis of Nuclear Power Plant Operating Costs: a 1995 update (April 1995).
18. EIA Report, Challenges of Electric Power Industry Restructuring for Fuel Suppliers, DOE/EIA-0623 (Sept. 1998).
19. EIA Report, Decommissioning of U.S. Uranium Production Facilities, DOE/EIA-0592 (Feb. 1995).
20. EIA Report, Commercial Nuclear Fuel from U.S. and Russian Surplus Defense Inventories: Materials, Policies, and Market Effects, DOE/EIA-0619.
21. BP Statistical Review of World Energy 1998.
22. INGAA Foundation, Nuclear Power plants and Implications of Early Shutdown for Future Natural Gas Demand, Washington Energy Group, 1997.
23. Biewald and White, Implications of Early Nuclear Plant Retirements (1998).
24. Rothwell, G., Air Pollution Fees and the Risk of Early Retirement at U.S. Nuclear Power Plants, Oct. 1998.
25. Riccio J., Questioning the Authority, Public Citizen, Apr. 1998.
26. Construction Cost Estimate for a Gronau-Based Uranium Enrichment Facility for Urenco, Fluor Technology, Inc., June 1987.
27. Update of Capital Cost Estimate and Project Requirements Prior to NRC Permit, Fluor Daniel, Sept. 1991.
28. LES Uranium Enrichment Project, Configuration Review and Baseline Estimate, Fluor Daniel, Advanced Technology Division, June 1990.

29. Should Investors be Concerned about Rising Nuclear Plant Decommissioning Costs? Shearson Lehman brothers Utilities Commentary, Jan. 6, 1993.
30. Nuclear Power: Technical and Institutional Options fro the Future, National Academy Press, 1992.
31. GAO Report, Uranium Enrichment, Congressional Action Needed to Revitalize the Program, Oct. 1987.
32. GAO Report, Uranium Enrichment: Activities Leading to Establishment of the U.S. Enrichment Corporation, June 1994.
33. Hearing materials, Subcommittee on Energy and Power, House Committee on Energy and Commerce, 1991. Our Rankings of U.S. Nuclear Power Plant Operation Performance, Lehman Brothers, April 6, 1994. America's Investment in Nuclear Power, Bear, Stearns (Dan Scotto and Barbara Chapman) Oct. 1994.
34. Joint Hearing before the Subcommittee on Energy and Power of the Committee on Energy and Commerce and the Subcommittee on Energy and the Environment of the Committee on Interior and Insular Affairs, July 31, 1990.
35. Stopping a Budget Meltdown: Reorganizing the Federal uranium Enrichment Program, National Taxpayers Union Foundation, Sept. 1990.

Respectfully submitted,



Lindsay A. Lovejoy, Jr.  
618 Paseo de Peralta, Unit B  
Santa Fe, NM 87501  
(505) 983-1800  
(505) 983-0036 (facsimile)  
E-mail: [lindsay@lindsaylovejoy.com](mailto:lindsay@lindsaylovejoy.com)

Counsel for Petitioners  
Nuclear Information and Resource Service  
1424 16<sup>th</sup> St., N.W. Suite 404  
Washington, D.C. 20036  
(202) 328-0002

and

Public Citizen  
1600 20<sup>th</sup> St., N.W.  
Washington, D.C. 20009  
(202) 588-1000

September 2, 2004

## CERTIFICATE OF SERVICE

Pursuant to 10 CFR § 2.305 the undersigned attorney of record certifies that on September 2, 2004, the foregoing Initial Disclosure Pursuant to 10 CFR 2.704(a) on behalf of Petitioners Nuclear Information and Resource Service and Public Citizen was served by electronic mail and by first class mail upon the following:

G. Paul Bollwerk, III  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
e-mail: [gpb@nrc.gov](mailto:gpb@nrc.gov)

Dr. Paul B. Abramson  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
e-mail: [pba@nrc.gov](mailto:pba@nrc.gov)

Dr. Charles N. Kelber  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
e-mail: [cnk@nrc.gov](mailto:cnk@nrc.gov)

James Curtiss, Esq.  
David A. Repka, Esq.  
Winston & Strawn  
1400 L St.  
Washington, D.C. 20005-3502  
e-mail: [jcurtiss@winston.com](mailto:jcurtiss@winston.com)  
[drepka@winston.com](mailto:drepka@winston.com)  
[moneill@winston.com](mailto:moneill@winston.com)

John W. Lawrence  
Louisiana Energy Services, L.P.  
2600 Virginia Ave., N.W.  
Suite 610  
Washington, D.C. 20037  
e-mail: [jlawrence@nefnm.com](mailto:jlawrence@nefnm.com)

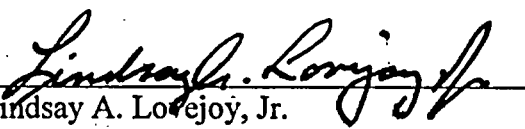
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
Attention: Associate General Counsel for Hearings, Enforcement, and Administration  
e-mail: [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov)  
[lbc@nrc.gov](mailto:lbc@nrc.gov)  
[abc1@nrc.gov](mailto:abc1@nrc.gov)

Office of Commission Appellate Adjudication  
Mail Stop O-16C1  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Clay Clarke, Esq.  
Assistant General Counsel  
Tannis L. Fox, Esq.  
Deputy General Counsel  
New Mexico Environment Department  
1190 St. Francis Drive Santa Fe, NM 87502-1031  
e-mail: [clay\\_clarke@nmenv.state.nm.us](mailto:clay_clarke@nmenv.state.nm.us)  
[tannis\\_fox@nmenv.state.nm.us](mailto:tannis_fox@nmenv.state.nm.us)

Glenn R. Smith, Esq.  
Deputy Attorney General  
Christopher D. Coppin  
Stephen R. Farris, Esq.  
David M. Pato, Esq.  
Assistant Attorneys General  
P.O. Drawer 1508  
Santa Fe, NM 87504-1508  
e-mail: [ccoppin@ago.state.nm.us](mailto:ccoppin@ago.state.nm.us)  
[dpato@ago.state.nm.us](mailto:dpato@ago.state.nm.us)  
[gsmith@ago.state.nm.us](mailto:gsmith@ago.state.nm.us)  
[sfarris@ago.state.nm.us](mailto:sfarris@ago.state.nm.us)

Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
Attention: Rulemakings and Adjudications Staff (original and two copies)  
e-mail: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

  
Lindsay A. Lovejoy, Jr.  
618 Paseo de Peralta, Unit B  
Santa Fe, NM 87501

(505) 983-1800

(505) 983-0036 (facsimile)

e-mail: [lindsay@lindsaylovejoy.com](mailto:lindsay@lindsaylovejoy.com)