



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD PANEL
WASHINGTON, D.C. 20555

DOCKETED
USNRC

February 9, 1994

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OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Ms. Betty Robertson
S.A.F.E.S.T.
P.O. Box 910
Gore, OK 74435

SERVED FEB 10 1994

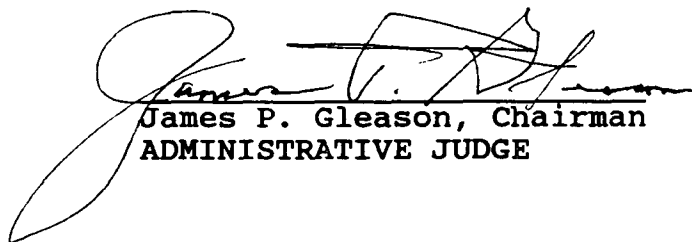
Re: Sequoyah Fuels Corporation
Docket No. 40-8027

Dear Ms. Robertson:

I have received your letter dated January 31, 1994, and it would not be appropriate for me to comment on your allegations. I can advise you that procedures for interested parties to intervene in adjudicative proceedings of the Nuclear Regulatory Commission are provided for in the Commission's regulations. The appropriate regulations concerning participation in any such proceeding are set forth in Title 10, Part 2, Sections 2.714 and 2.715 of the Code of Federal Regulations. If a person or organization desires to participate as a party, they have to meet timing and standing requirements and submit at least one valid contention; if, instead, there is a desire to only make oral or written statements of positions on the issues, an opportunity to do so will be provided in the event a hearing is held.

It is hoped this information is helpful to you. I am advised the Code of Federal Regulations may be located as a resource publication in the public library system of any large populated area, such as Oklahoma City, or the particular Title can be purchased from the U.S. Government Printing Office, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954.

Sincerely,



James P. Gleason, Chairman
ADMINISTRATIVE JUDGE

cc: Service List
Attach.: Robertson Ltr.

SECY-040

DS03

14678

January 31, 1994

Administrative Judge James P. Gleason, Chairman
Administrative Judge Thomas Murphy
Administrative Judge G. Paul Bollwerk, III
Administrative Judge Jerry R. Kline

Sirs,

It has come to my attention that once again the NRC is in the midst of a decision making process which could greatly impact the citizens of the Gore, Vian, and Webbers Falls communities. Repeatedly, the NRC has denied us a voice in matters in which the decisions made would have a direct detrimental effect on us. We have been informed that you have ruled to allow NACE to sit in on the proceedings concerning SFC's decommissioning funding. Although over 1000 people from our communities have signed a petition declaring to you that NACE does NOT represent us in any matter concerned with SFC, still you have granted them the right to influence you in your decision making process.

Perhaps, you are not aware of the outrageous injustice you and NACE are perpetrating against the people of Gore, Vian, and Webbers Falls. Perhaps, you don't believe that your decisions could prove extremely destructive to our already uncertain economic future. Might I point out to you that NACE has made it clear that they would like to see SFC declared a Superfund Site. Should they succeed in this endeavor, it will be we, the residents of Gore, Vian, and Webbers Falls, who will suffer under the Superfund stigma that follows. Our property values will drop, our hopes of attracting any new industry will be further reduced, and while it may possibly mean an increase in jobs it will not mean the increase in monies to our schools and other vital community services that a new industry would. While everyone would like to see that the SFC site is satisfactorily decommissioned (after all it is the most credible possible site for future industries), we believe this could be achieved short of Superfunding.

I have heard interestingly enough that there is a likelihood that the Cherokee Nation may request and be given the position of being administrator of the super funding of the SFC site. If this is true, the Cherokee Nation (and major contributor to NACE) will financially benefit from such a decision. Is this obvious conflict of interest something you want to support? Perhaps this is something that should be further investigated before allowing NACE to have input in the matter of SFC Funding.

I cannot begin to tell you how betrayed we feel in the actions that have been taken by the NRC over the past year. In addition to which, we have had to sustain the slander that Lance Hughes has spread about our communities. He has claimed to be a resident of Gore, he is not! He has claimed that our communities have an 80% cancer rate because of SFC, it does not! He has claimed that there is an inordinate amount of birth defects, there are not! He published a document, Silent Sirens, filled with misleading half-truths and personal slanders against specific employees, and calls for an investigation of both the NRC and the EPA. Yet, how does the NRC deal with this blatant subterfuge? By allowing him and NACE to further injure the people of our communities by usurping their voice in this present proceeding.

While I do not claim that every person feels as I do about the superfund issue, we all feel we have been once again excluded from the decision making process. Not once has the NRC tried to ascertain what our opinions are, in fact, all our efforts at providing input have been thwarted. I am finding it difficult to believe our situation can continue to be sustained in the United States of America.

It runs contrary to everything held sacred in the Constitution. When do the people of Gore, Vian, and Webbers Falls get our guaranteed "life, liberty, and pursuit of happiness" by having a voice in our economic future? We don't have the money for high-priced, slick Washington, D.C. lawyers, but I was unaware that this was a prerequisite for that guarantee of rights. Don't tell us to go by the "book of procedures", we don't know how to decipher its legalese nor should we be punished with the loss of our rights because of this failing (if indeed it is a failing). We are merely a group of ordinary people asking to be given some control over our environment and our economy, is that so difficult to understand. This control is what I call the right of self-determination. It is the crux of American Democracy. Our Revolutionary War was waged because of the denial of the colonists rights to self-determination, the Spanish American War and the annexation of Texas was a battle for American Texans' right of self-determination, even the Civil War exploded because several groups felt they had been denied the right of self-determination. Nothing cuts at the heart of Americans more swiftly or sharply than the obstruction of self-determination. Without this right there is no liberty and certainly no pursuit of happiness.

We would greatly appreciate a method whereby we could be allowed to participate in this current proceeding and all future proceedings. Please do not continue to deny us our right of self-determination.

Sincerely,



Betty Robertson, Vian Resident
Member of S.A.F.E.S.T.

cc: Representative Mike Synar
Representative J. Dennis Hastert
Senator Don Nickles
Senator David Boren
Chairman Ivan Selin, U.S. N.R.C.
Office of Commission Appellate Adjudication
Secretary of Energy, Hazel O'Leary
Mr. Joe Callan, Administrator NRC, Reg. IV
Vice President Al Gore
President Bill Clinton

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of
SEQUOYAH FUELS CORPORATION
(Sequoyah Facility)

Docket No.(s) 40-8027-EA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB LTR TO ROBERTSON W/1/31 LTR have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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

Administrative Judge
James P. Gleason, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
G. Paul Bollwerk, III
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Jerry R. Kline
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

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

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Docket No.(s)40-8027-EA
LB LTR TO ROBERTSON W/1/31 LTR

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Native Americans For A Clean
Environment
P.O. Box 1671
Tahlequah, OK 74465

Dated at Rockville, Md. this
10 day of February 1994


Office of the Secretary of the Commission