

1800 M Street, N.W.  
Washington, D.C. 20036-5869  
202-467-7000  
Fax: 202-467-7176

**Morgan, Lewis  
& Bockius LLP**

DOCKETED  
COUNSELORS AT LAW  
'96 AUG 29 11:23

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

August 27, 1996

Mr. John C. Hoyle  
Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

**SERVED AUG 29 1996**

Dear Mr. Hoyle:

In accordance with Rule 1.11(d)(1) of the D.C. Rules of Professional Conduct, I am hereby providing notice that I have disqualified myself from participating in any manner in the matter designated below:

In the Matter of  
SEQUOYAH FUELS CORPORATION  
and GENERAL ATOMICS  
(Gore, OklahomaSite) (Decontamination  
and Decommissioning Funding)

Docket No. 40-8027-EA

As a precautionary matter, I previously disqualified myself from participating in any matter relating to Sequoyah Fuels Corporation and General Atomics effective upon my joining the firm August 5, 1996, pending completion of a formal conflicts review, and have attached an office memorandum detailing this action. I have now completed that review and have determined that my disqualification regarding the above-referenced matters should become permanent. Accordingly, I will not participate in any manner in the above-referenced matter, discuss these matters or the representation with any partner, associate, or of counsel lawyer of the firm, or share in any fees for the matter or the representation. In addition, out of an abundance of caution and to avoid any appearance of impropriety, I have disqualified myself from all matters relating to Sequoyah Fuels Corporation and General Atomics for a period of two years.

If you have any questions, please feel free to contact me.

Sincerely,

  
Daryl M. Shapiro

SECY-043

DS03

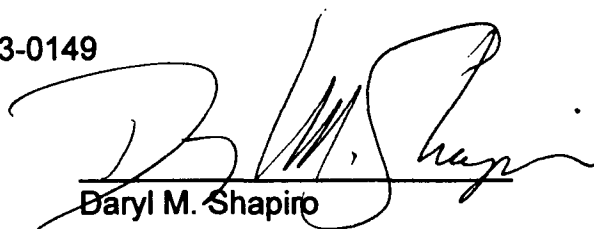
17897

**CERTIFICATE OF SERVICE**

I hereby certify that on August 27, 1996, a true and correct copy of the foregoing correspondence addressed to John C. Hoyle, was served by regular mail on:

Diane Curran, Esq.  
Harmon, Curran, Gallagher & Spielberg  
2001 S Street, N.W.  
Suite 430  
Washington, DC 20009

Stephen M. Duncan, Esq.  
Mays & Valentine  
110 S. Union Street  
PO Box 149  
Alexandria, VA 22313-0149



Daryl M. Shapiro

MEMORANDUM

Morgan, Lewis  
& Bockius LLP  
COUNSELORS AT LAW

TO: All Nuclear Attorneys, Paralegals and Staff

FROM: George L. Edgar *GL*

DATE: August 6, 1996

SUBJECT: Daryl Shapiro

Daryl Shapiro will be joining us today as an associate in the nuclear practice group. After several days of orientation, he will begin assignments on nuclear regulatory matters and related litigation. Pursuant to D.C. Bar Rule 1.11, he will be prohibited from involvement in assignments related to any matter in which he was personally and substantially involved during his service at the NRC.

In order to assure strict compliance with Rule 1.11 and to avoid any appearance of conflict, we have elected to adopt a conservative approach and preclude Daryl's participation in any matters for Northeast Utilities, Maine Yankee, General Atomics or Sequoyah Fuels for at least two years. No person in our practice group shall involve or in any way discuss with Daryl any matter for these clients, and files for these clients shall not be disclosed to Daryl.

We will implement a screening mechanism under which I will review and approve Daryl's assignments to assure that Rule 1.11 will be met. Daryl will consult NRC OGC as appropriate to obtain any clearance that may be necessary. We will also consult with R.C. Hotvedt, the Chairman of our Professional Responsibility Committee, as appropriate to obtain any additional clearances that may be necessary within the firm. If any additional clients or matters are identified for which Daryl's participation is precluded, we will notify practice group personnel accordingly.

Daryl will not be sharing in any fees for the aforementioned clients, nor for any client for which he is precluded from participation under Rule 1.11.

We will send a copy of this memorandum to the NRC ethics officer to inform the NRC about the steps we have taken to assure compliance with Rule 1.11.

GLE:wll

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**Morgan, Lewis  
& Bockius LLP**  
C O U N S E L O R S A T L A W  
'96 AUG 29 A11:23

George L. Edgar  
202-467-7459

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

August 27, 1996

Mr. John C. Hoyle  
Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Hoyle:

In accordance with Rule 1.11(d)(1) of the D.C. Rules of Professional Conduct, I am hereby advising you that all lawyers affiliated with the firm of Morgan, Lewis & Bockius (ML&B) are aware that Daryl M. Shapiro has disqualified himself from participating in any manner in the matter designated below:

In the Matter of  
SEQUOYAH FUELS CORPORATION  
and GENERAL ATOMICS  
(Gore, OklahomaSite) (Decontamination  
and Decommissioning Funding)

Docket No. 40-8027-EA

Mr. Shapiro, who previously disqualified himself as a precautionary matter from participating any matter relating to Sequoyah Fuels and General Atomics Corporation effective upon his joining the firm August 5, 1996, has now determined that his disqualification from the above-referenced matter should become permanent. In addition, out of an abundance of caution and to avoid any appearance of impropriety, Mr. Shapiro has disqualified himself from all matters relating to Sequoyah Fuels and General Atomics Corporation for a period of two years.

Accordingly, Morgan, Lewis & Bockius has established appropriate screening procedures, in accordance with Rule 1.11(c) of the D.C. Rules of Professional Conduct, to ensure that Mr. Shapiro will be screened from participating in or discussing this matter or the representation with any partner, associate, or of counsel lawyer of the firm. All attorneys and personnel of the firm have been advised that:

- (1) Mr. Shapiro is not and will not become involved in the representation of any ML&B client in the foregoing matter.

Mr. John C. Hoyle  
August 27, 1996  
Page 2

- (2) No attorney or other person at ML&B who has worked, is working or hereafter begins working on the foregoing matter will discuss confidential aspects of that work with, or reveal any confidential information about such representation to, Mr. Shapiro.
- (3) All files and documents relating to the foregoing matter have been secured by the attorneys responsible for the matter and may not be examined by Mr. Shapiro.
- (4) Mr. Shapiro will not discuss any confidential aspect of his prior work on the foregoing matter with, or reveal any confidential information about such representation to, any ML&B personnel.
- (5) As specified in Rule 1.11, Mr. Shapiro will not share in any fees resulting from the foregoing matter.

Should you have any questions, please feel to contact me.

Sincerely,



George L. Edgar

cc: Diane Curran, Esq.  
Harmon, Curran, Gallagher & Spielberg  
2001 S Street, N.W.  
Suite 430  
Washington, DC 20009

Stephen M. Duncan, Esq.  
Mays & Valentine  
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DOCKETED  
USNRC  
**Morgan, Lewis  
& Bockius LLP**

'96 AUG 29 11:23 AM  
USNRC  
DOCKETS AT LAW

OFFICE OF SECRETARY  
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August 27, 1996

Mr. John C. Hoyle  
Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Hoyle:

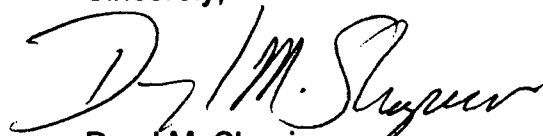
In accordance with Rule 1.11(d)(1) of the D.C. Rules of Professional Conduct, I am hereby providing notice that I have disqualified myself from participating in any manner in the matter designated below:

General Atomics v. NRC (9th Cir. No. 95-70710) and Sequoyah  
Fuels Corporation v. NRC (9th Cir. No. 95-70842) (consolidated  
cases).

As a precautionary matter, I previously disqualified myself from participating in any matter relating to General Atomics or Sequoyah Fuels Corporation effective upon my joining the firm August 5, 1996, pending completion of a formal conflicts review, and have attached an office memorandum detailing that action. I have now completed that review and have determined that my disqualification regarding the above-referenced matters should become permanent. Accordingly, I will not participate in any manner in the above-referenced matters, discuss these matters or the representation with any partner, associate, or of counsel lawyer of the firm, or share in any fees for the matter or the representation. In addition, out of an abundance of caution and to avoid any appearance of impropriety, I have disqualified myself from all matters relating to General Atomics and Sequoyah Fuels Corporation for a period of two years.

If you have any questions, please feel free to contact me.

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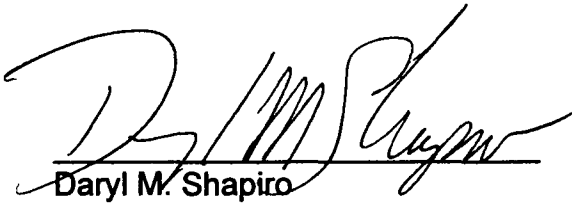
  
Daryl M. Shapiro

**CERTIFICATE OF SERVICE**

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Stephen M. Duncan, Esq.  
Mays & Valentine  
110 South Union Street  
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Diane Curran, Esq.  
Harmon, Curran, Gallaher & Spielberg  
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Washington, D.C. 20009



Daryl M. Shapiro



MEMORANDUM

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COUNSELORS AT LAW

TO: All Nuclear Attorneys, Paralegals and Staff

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We will implement a screening mechanism under which I will review and approve Daryl's assignments to assure that Rule 1.11 will be met. Daryl will consult NRC OGC as appropriate to obtain any clearance that may be necessary. We will also consult with R.C. Hotvedt, the Chairman of our Professional Responsibility Committee, as appropriate to obtain any additional clearances that may be necessary within the firm. If any additional clients or matters are identified for which Daryl's participation is precluded, we will notify practice group personnel accordingly.

Daryl will not be sharing in any fees for the aforementioned clients, nor for any client for which he is precluded from participation under Rule 1.11.

We will send a copy of this memorandum to the NRC ethics officer to inform the NRC about the steps we have taken to assure compliance with Rule 1.11.

GLE:wll

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DOCKETED Morgan, Lewis  
USMRC & Bockius LLP

'96 AUG 29 APT 23 COUNSELORS AT LAW

George L. Edgar  
202-467-7459

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

August 27, 1996

Mr. John C. Hoyle  
Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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General Atomics v. NRC (9th Cir. No. 95-70710) and Sequoyah Fuels Corporation v. NRC (9th Cir. No. 95-70842) (consolidated cases)

Mr. Shapiro, who previously disqualified himself as a precautionary matter from participating any matter relating to General Atomics or Sequoyah Fuels Corporation, effective upon his joining the firm August 5, 1996, has now determined that his disqualification from the above-referenced matters should become permanent. In addition, out of an abundance of caution and to avoid any appearance of impropriety, Mr. Shapiro has disqualified himself from all matters relating to General Atomics and Sequoyah Fuels Corporation for a period of two years.

Accordingly, Morgan, Lewis & Bockius has established appropriate screening procedures, in accordance with Rule 1.11(c) of the D.C. Rules of Professional Conduct, to ensure that Mr. Shapiro will be screened from participating in or discussing this matter or the representation with any partner, associate, or of counsel lawyer of the firm. All attorneys and personnel of the firm have been advised that:

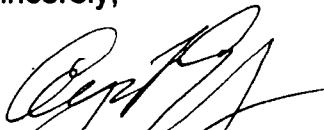
- (1) Mr. Shapiro is not and will not become involved in the representation of any ML&B client in the foregoing matter.

Mr. John C. Hoyle  
August 27, 1996  
Page 2

- (2) No attorney or other person at ML&B who has worked, is working or hereafter begins working on the foregoing matter will discuss confidential aspects of that work with, or reveal any confidential information about such representation to, Mr. Shapiro.
- (3) All files and documents relating to the foregoing matter have been secured by the attorneys responsible for the matter and may not be examined by Mr. Shapiro.
- (4) Mr. Shapiro will not discuss any confidential aspect of his prior work on the foregoing matter with, or reveal any confidential information about such representation to, any ML&B personnel.
- (5) As specified in Rule 1.11, Mr. Shapiro will not share in any fees resulting from the foregoing matter.

Should you have any questions, please feel to contact me.

Sincerely,



George L. Edgar

cc: Diane Curran, Esq.  
Harmon, Curran, Gallagher & Spielberg  
2001 S Street, N.W.  
Suite 430  
Washington, DC 20009

Stephen M. Duncan, Esq.  
Mays & Valentine  
110 S. Union Street  
P.O. Box 149  
Alexandria, VA 22313-0149

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

SEQUOYAH FUELS CORPORATION  
GENERAL ATOMICS  
(Gore, Oklahoma, Site Decontamina-  
tion and Decommissioning Funding)

Docket No.(s) 40-8027-EA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LTRS--SHAPIRO DISQUALIFICATION 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  
G. Paul Bollwerk, III  
Atomic Safety and Licensing Board  
Mail Stop T-3 F 23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Thomas D. Murphy  
Atomic Safety and Licensing Board  
Mail Stop T-3 F 23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Diane Curran, Esq.  
Harmon, Curran & Spielberg  
2001 S Street, N.W., Suite 430  
Washington, DC 20009

Administrative Judge  
James P. Gleason, Chairman  
Atomic Safety and Licensing Board  
Mail Stop T-3 F 23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Jerry R. Kline  
Atomic Safety and Licensing Board  
Mail Stop T-3 F 23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Steven R. Hom, Esq.  
Catherine L. Marco, Esq.  
Office of the General Counsel  
Mail Stop 0-15 B 18  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Alvin H. Gutterman, Esq.  
John E. Matthews, Esq.  
Morgan, Lewis & Bockius LLP  
1800 M Street, N.W.  
Washington, DC 20036

Docket No.(s)40-8027-EA  
LTRS--SHAPIRO DISQUALIFICATION

Stephen M. Duncan, Esq.  
Bradfute W. Davenport, Jr., Esq.  
Mays & Valentine  
110 South Union Street  
Alexandria, VA 22314

John R. Driscoll  
General Atomics Corporation  
3550 General Atomics Court  
San Diego, CA 92121

John H. Ellis, President  
Sequoyah Fuels Corporation  
P.O. Box 610  
Gore, OK 74435

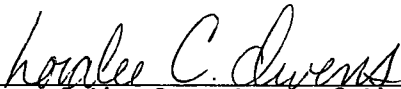
Lance Hughes, Director  
Native Americans For A Clean  
Environment  
P.O. Box 1671  
Tahlequah, OK 74465

William F. O'Brien, OBA #6736  
Assistant Attorneys General  
2300 N. Lincoln Blvd.  
State Capitol Building, Room 112  
Oklahoma City, OK 73105

James G. Wilcoxon, Esquire  
Wilcoxon, Wilcoxon & Primomo  
P.O. Box 357  
Muskogee, OK 74402

Betty Robertson  
HCR 68 Box 360  
Vian, OK 74962

Dated at Rockville, Md. this  
29 day of August 1996

  
\_\_\_\_\_  
Office of the Secretary of the Commission