

May 30, 1985

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED  
USNRC

KERR-MCGEE CHEMICAL CORPORATION  
(Kress Creek Decontamination)

Docket No. 40-2061

Source Material License  
No. STA 583

OFFICE OF SECRETARY  
MARKETING & SERVINT.  
BRANCH

ASLBP No. 84-502-01 SC

'85 MAY 31 P3:58

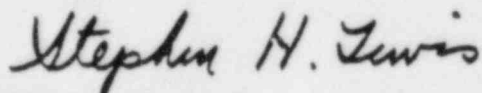
On April 1, 1985 the NRC staff filed its "... Answers to Kerr-McGee Chemical Corporation's First Request for Answers by the Staff to Interrogatories as to Admitted Contentions." By letter dated April 17, 1985, Kerr-McGee identified deficiencies that it believed to exist in the Staff's answers and requested supplemental responses to certain interrogatories. Although 10 C.F.R. § 2.720(h)(2)(ii) provides that the presiding officer may require the Staff to answer interrogatories only upon making the necessary finding under that provision, the Staff is voluntarily providing the enclosed supplemental answers to Kerr-McGee's interrogatories. As requested in Kerr-McGee's April 17 letter, the Staff will respond, as appropriate, to Interrogatories 25-32 once it has identified the witnesses it intends to call with regard to the admitted contentions and has made determinations with respect to the other matters addressed in those interrogatories. The Staff notes that

8506030509 850530  
PDR ADOCK 04002061  
C PDR

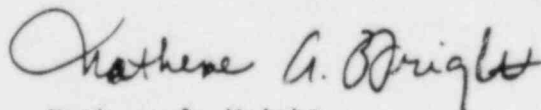
due to an apparent typographical error Interrogatory 31(b) is unclear and requests Kerr-McGee to clarify the interrogatory.

Affidavits of persons providing supplemental responses to interrogatories are attached. Mr. Schumacher and Dr. Frame were unavailable to sign their affidavits. Their executed affidavits will be transmitted as soon as they are available. The undersigned counsel are responsible for the objections made. Based upon Kerr-McGee's April 17 letter, the Staff perceived the need for clarification of the objection made to Interrogatory 9 in its April 1st answer. The Staff has, therefore, restated and clarified its objection. With respect to Interrogatory 24, the Staff no longer stands on its objection that the interrogatory need not be answered because it is not "reasonably calculated to lead to the discovery of admissible evidence" 10 C.F.R. § 2.740(b)(1)). As reflected in the enclosed supplemental response, however, the Staff maintains its objection to the request for a description of privileged discussions which occurred at certain meetings.

Respectfully submitted,



Stephen H. Lewis  
Counsel for NRC Staff



Nathene A. Wright  
Counsel for NRC Staff

Dated at Bethesda, Maryland  
this 30th day of May, 1985

## SUPPLEMENTAL RESPONSES TO INTERROGATORIES

### INTERROGATORY 9

Does the Staff contend that the mill tailings allegedly found in Kress Creek or the West Branch of the DuPage River pose significant risks to the public health, safety, or the environment? If so:

- a) State the basis for that assertion,
- b) Identify all documents relating to any Staff estimate of risk arising from mill tailings.

### SUPPLEMENTAL RESPONSE

9. The Staff offers the following clarification of its objection to this interrogatory stated in its response of April 1, 1985: The term "significant" has not been defined in the interrogatory, but if Kerr-McGee is referring to the language of Section 84(a)(1) of the Atomic Energy Act of 1954, as amended ("AEA", 42 U.S.C. § 2114((a)(1)) that refers to ". . . taking into account the risk to the public health, safety, and the environment . . .", the Staff objects on the ground that the Atomic Safety and Licensing Board has ruled that the Uranium Mill Tailings Radiation Control Act of 1978 (Pub. L. No. 95-604, 92 Stat. 3021), which among other things amended the AEA by adding Section 84, is not legally applicable in this proceeding. See Second Prehearing Conference Memorandum and Order (February 7, 1985), slip op. at 6; Memorandum and Order (Ruling on Kerr-McGee's Motion for Reconsideration) (March 22, 1985), slip op. at 4. If that statutory section is the basis for the interrogatory, the Staff submits that the interrogatory is not relevant to any issue in this proceeding. The Staff also objects on the ground that the interrogatory asks the Staff to take a position on a matter as to which it does not have the burden of going forward. See Second

Prehearing Conference Memorandum and Order, at 9; Memorandum and Order (Ruling on Kerr-McGee's Motion for Reconsideration), at 2.

Without waiving these objections, the Staff provides the following supplemental responses to this interrogatory:

The Staff does contend that contamination in Kress Creek and the West Branch of the DuPage River poses risks to the public health, safety, or the environment. The term "significant" is a qualitative adjective, the definition of which is dependent upon individual perception. Thus, the levels of exposure which may be significant in one instance would not be considered as significant in a different context. The Staff considers it significant that contamination is present in and around the Creek and River and that the potential exists for exposure which is not justified or offset by some benefit. The Staff also considers it significant that future use of the contaminated materials and pathways of exposure are largely undetermined and could result in exposures which are substantially greater than presently exist.

a. A fundamental assumption in radiation protection is that there exists "a linear relationship, without threshold, between dose and the probability of an effect" (International Commission on Radiological Protection, Publication 26, 1977), where an effect is defined as a fatal cancer or hereditary defect. The order to show cause states that concentrations of total thorium which can be correlated to levels of radium-228 in excess of the levels found by the U. S. EPA to be acceptable for unrestricted areas have been measured throughout the length of Kress Creek below the outfall from the storm sewer which traverses Kerr-McGee's property and to extend downstream along the West Branch of the DuPage

River. The Staff contends that the presence of the contamination in the Creek and River poses a potential for exposure to individuals through the direct radiation, inhalation, and ingestion pathways to man. In view of the developed residential areas near the Creek and River and the potential for exposures of individuals, the Staff considers the presence of the contamination to be significant in that it poses a present and future potential for exposure, and hence risk, to the public health and safety or the environment.

b. The Staff understands this part of the interrogatory to be inquiring as to documents related to estimates of risk from thorium mill tailings. The documents identified in the Order to Show Cause are related to the Staff's estimate of risk arising from the contamination in Kress Creek and the West Branch of the DuPage River. The only other related document of which the affiant is aware is SECY-81-576 (October 5, 1981), which was previously provided to Kerr-McGee in discovery. The matter of risks arising from the contamination of the Creek and River will be addressed in direct testimony to be prepared by the Staff for presentation in this proceeding.

#### INTERROGATORY 20

Has the Staff conducted, caused to be conducted, or participated in, or is the Staff aware of any studies of geographic areas other than Kress Creek or the West Branch of the DuPage River, whether formal or informal, of adverse or potentially adverse effects on health or the environment resulting from releases or alleged releases of contaminants similar to those at issue in this proceeding, to which the Staff intends to refer as being relevant with respect to the admitted contentions? If your response is other than an unqualified negative,

a) Identify the person(s) who conducted or participated in such studies;



- b) Describe the methodologies used;
- c) State the date or time period during which such studies took place; and
- d) Identify all documents relating to or reflecting such studies.

SUPPLEMENTAL RESPONSE

The Staff knows of no studies of the nature described in Interrogatory 20 to which it intends to refer as being relevant to the admitted contentions.

INTERROGATORY 22

In the Staff's view, would cleanup to levels above those specified in the Order to Show Cause satisfy the requirements of the Atomic Energy Act, as amended, and regulations promulgated thereunder?

- a) if not, why not?
- b) If so, describe with reasonable specificity the nature of the any cleanup plan, including the cleanup levels involved, that would satisfy such requirements.
- c) If so, state with reasonable specificity the Staff's reasons for concluding that such a plan would satisfy such requirements.
- d) Identify all documents relating to your response to subparts (a), (b), and (c).

SUPPLEMENTAL RESPONSE

The Staff does not have a view at this time as to whether cleanup to levels above (which the Staff interprets to mean less restrictive than) those set forth in the Order to Show Cause would satisfy the requirements of the Atomic Energy Act, assuming that the Licensing Board is not persuaded that application of the EPA standards in 40 C.F.R. Part 192 is appropriate in the Commission's implementation of its authority under under Section 161b of the Act (42 U.S.C. § 2201(b)) "to establish by

. . . order, such standards and instructions to govern the possession and use of . . . source material . . . as the Commission may deem necessary or desirable to . . . protect health or to minimize danger to life or property."

INTERROGATORY 24

Identify with reasonable specificity and describe the discussions that took place at all private and public meetings that the Staff participated in or sponsored at which the alleged contamination of Kress Creek or the West Branch of the DuPage River was discussed, including meetings with Kerr-McGee or its predecessors in interest; other citizens or property owners in West Chicago; any local, state, or federal officials or regulatory bodies; or any members of the print, broadcast, television, or other media.

SUPPLEMENTAL RESPONSE

The Staff objects to this Interrogatory to the extent that it seeks a description of privileged discussions between the Staff and other parties to this proceeding. However, the Staff provides in the list below an "identification with reasonable specificity" of such meetings. Additionally, documentation does not exist for a number of the meetings identified below and the information with respect to such meetings is, therefore, based on the Staff's best recollection of events that occurred as long as three years ago.

1. January 7, 1982. A meeting was held in Silver Spring, Maryland between the NRC staff and Kerr-McGee to discuss the Staff's request for cleanup of Kress Creek. Persons in attendance were: W. Crow, R. Page, W. Nixon, D. Sly and R. Fonner (NRC); D. Dougherty and L. Borneman (NUS Corporation); G. Rice (Kerr-McGee); and J. Rhineland, J. Berghoff, and G. Charnoff (counsel to Kerr-McGee).

2. November 17, 1982. During the course of a site visit by D. Mausshardt, W. Nixon and R. Fonner (NRC) to West Chicago in conjunction with the informal hearing on Amendments 5 and 6, J. Berghoff (counsel to Kerr-McGee) raised with Mr. Fonner questions regarding the NRC's authority to require cleanup of Kress Creek. The site visit was not in connection with Kress Creek.

3. November 18, 1982. Kerr-McGee and the NRC met to discuss analytical results of soil tests along Kress Creek.

4. Approximately in the period April 4-22, 1983, members of the Oak Ridge Associated Universities (ORAU) team conducting the survey of Kress Creek and the West Branch of the DuPage River met with two property owners who had not previously been contacted in writing by the NRC for permission to survey their property. The purpose of the meeting was for the ORAU personnel to introduce themselves to the property owners, to state the objective of the survey, to advise the property owners that ORAU believed their property should be included in the survey because ORAU personnel suspected contamination existed on the property, and to obtain their oral consent.

5. January 12, 1984. At Kerr-McGee's request, the Staff met with Kerr-McGee to listen to its concerns regarding the problems Kerr-McGee would have with the anticipated NRC action regarding cleanup of Kress Creek.

6. Meeting between Staff Counsel (Stephen G. Burns) and Michael Lublinski, Esq. in April 1984 in Bethesda, Maryland. Topics discussed at the meeting were the issuance of the Order to Show Cause to Kerr-McGee Chemical Corp., the procedure to be followed in view of Kerr-McGee's



request for a hearing on the order, and the possibility of intervention in the proceeding by the Nichiren Shoshu Temple.

7. Meeting between W. Crow and W. Nixon (NRC) and Michael Lubinski held in April 1984. Mr. Lubinski visited the NRC staff to obtain general information on the following subjects: 1) the role of the NRC with respect to enforcement related to the contamination in Kress Creek and the West Branch of the DuPage River; 2) the order to show cause, and 3) how the Nichiren Shoshu Temple could participate in any proceeding that would be held with regard to the order.

8. Meeting among Staff Counsel (James Lieberman, Stephen G. Burris), Office of Nuclear Material Safety and Safeguards (NMSS) technical staff member (W. A. Nixon), and Peter Nickles, Esq., Richard Meserve, Esq. and Mead Hedglon, Esq. in May 1984 in Bethesda, Maryland. Topics discussed at the meeting were the next steps to be taken in view of Kerr-McGee's answer to the order to show cause and request for hearing, the possibility of consolidating any Kress Creek proceeding with the ongoing Rare Earths Facility proceeding, and the willingness of Kerr-McGee to settle the matter prior to the initiation of formal proceedings.

9. Meeting between Staff Counsel (Stephen G. Burns) and Neil T. Proto, Esq. in June 1984 in Bethesda, Maryland. Topics discussed at the meeting were the present posture of the Kress Creek proceeding, the relationship between NRC and the U. S. Environmental Protection Agency, the practice before NRC adjudicatory boards and the possibility of intervention in the Kress Creek proceeding by the Nichiren Shoshu Temple.

10. There was a discussion on September 10, 1984 at the Region III

office between NRC (Region III, NMSS, and the Office of Executive Legal Director (ELD)) and EPA Region V representatives concerning cleanup of contaminated sites in West Chicago being done by Kerr-McGee and the City of West Chicago. The discussion also touched on the capability of the Kerr-McGee disposal site to accommodate Kress Creek contamination, the applicability of the Superfund law to Kress Creek contamination, the applicability of EPA standards (40 C.F.R. Part 192) to the NRC's actions with respect to Kress Creek, and the desirability of a direct dose rate working criterion for determinations on cleanup of offsite areas.

11. Meeting on January 24, 1985 at Illinois Attorney General's office in Chicago, attended by S. Lewis, L. Cuoco, S. Burns, W. Nixon, N. Proto, A. Rapkin, and W. Barzano. Discussion of the position to be taken by the Joint Proponents at the January 25, 1985 prehearing conference. The Staff objects to describing the content of these discussions, which are considered privileged since they relate to litigation strategy and trial preparation.

12. Meeting on March 12, 1985 in Bethesda, MD. attended by S. Lewis, L. Cuoco, S. Burns, A. Rapkin, and N. Proto to discuss the response to Kerr-McGee's motion for reconsideration. The Staff objects to describing the content of these discussions, which are considered privileged since they relate to litigation strategy and trial preparation.

13. April 17, 1985. At the request of Ms. Debby McIntyre, M. Schumacher and A. Januska (NRC, Region III) met with Ms. McIntyre, a new homeowner in the vicinity of Kress Creek, to provide her with information on the findings of the ORAU study.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

KERR-MCGEE CHEMICAL CORPORATION  
(Kress Creek Decontamination)

Docket No. 40-2061

Source Material License  
No. STA 583

ASLBP No. 84-502-01 SC

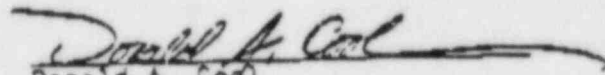
AFFIDAVIT OF DONALD A. COOL

I, Donald A. Cool, being duly sworn, state as follows:

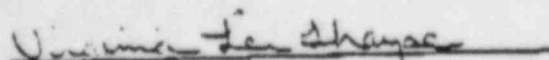
1. I am employed by the U.S. Nuclear Regulatory Commission as a Health Physicist, Uranium Fuel Licensing Branch. A statement of my professional qualifications is attached.

2. I am duly authorized to answer Interrogatories 9 and 20 of "Kerr-McGee Chemical Corporation's First Request for Answers by the Staff to Interrogatories as to Admitted Contentions".

I hereby certify that the answers are true and correct to the best of my knowledge.

  
Donald A. Cool

Subscribed and sworn to before  
me this 30<sup>th</sup> day of May, 1985

  
Notary Public

My commission expires: 7/1/86

## PROFESSIONAL QUALIFICATIONS

Donald A. Cool, Ph.D.  
Health Physicist  
Division of Fuel Cycle and Material Safety  
Office of Nuclear Material Safety and Safeguards  
United States Nuclear Regulatory Commission  
Washington, D.C.

I received a Bachelor of Science degree in Biology, with minors in Physics and Mathematics, from Houghton College in 1978; a Master of Science degree in Radiation Biology from the University of Rochester in 1981; and a Doctor of Philosophy degree in Radiation Biology from the University of Rochester in 1983.

I have been employed at NRC since October 1982. My work in this position has been related to evaluations and reviews related to radiation safety for activities involving  $UF_6$ , SNM fuel materials, and source materials. I have served on NRC Task Groups involved with Uranium Mill Tailings and Table S-3. In addition, I serve as project manager for a number of decontamination and decommissioning actions involving source material at licensed and unlicensed sites.

I have served as a NRC representative to the OECD Nuclear Energy Agency Committee on Radiation Protection and Public Health, and the Science Panel of the Committee on Radiation Research and Policy Coordination, Office of Science and Technology, Executive Office of the President. In these positions, I have participated in deliberations and decisions on a wide variety of issues involving radiation and radiation protection. I was also a member of the Task Group on "General Radiation Protection Principles for the Disposal of Solid Radioactive Waste" of Committee 4 of the International Commission on Radiological Protection. At the present time, I am working with members of ICRP Committee 4 on the implications of the linear dose-effect model for optimization, exemption criteria, and the recycle of contaminated materials.

Prior to my employment with the Government, I was, while a graduate student doing research on internal dosimetry and radionuclide metabolism, a part time technician with Applied Health Physics, Inc. In this capacity I performed surveys, operated counting equipment, and participated in decontamination efforts.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

KERR-MCGEE CHEMICAL CORPORATION  
(Kress Creek Decontamination)

} Docket No. 40-2061

} Source Material License  
} No. STA 583

} ASLBP No. 84-502-01 SC

AFFIDAVIT OF WILLIAM A. NIXON

I, William A. Nixon, being duly sworn, state as follows:

1. I am employed by the U.S. Nuclear Regulatory Commission as a Senior Chemical Engineer, Uranium Fuel Licensing Branch. A statement of my professional qualifications was filed with the "NRC Staff Answers to Kerr-McGee Chemical Corporation's First Request for Answers by the Staff to Interrogatories as to Admitted Contentions" (dated April 1, 1985).

2. I am duly authorized to answer Interrogatories 22 and 24 (as to meeting numbers 1, 3, 5, and 7) of "Kerr-McGee Chemical Corporation's First Request for Answers by the Staff to Interrogatories as to Admitted Contentions".

I hereby certify that the answers are true and correct to the best of my knowledge.

William A. Nixon  
William A. Nixon

Subscribed and sworn to before  
me this 30<sup>th</sup> day of May, 1985

Virginia Lee Sharpe  
Notary Public

My commission expires: 7/1/86



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

KERR-MCGEE CHEMICAL CORPORATION  
(Kress Creek Decontamination)

)  
) Docket No. 40-2061

)  
) Source Material License  
) No. STA 583

)  
) ASLBP No. 84-502-01 SC

AFFIDAVIT OF PAUL W. FRAME

I, Paul W. Frame, being duly sworn, state as follows:

1. I am employed by Oak Ridge Associated Universities, Inc. I was the onsite team leader on the Comprehensive Radiological Survey of Kress Creek, West Chicago Area, Illinois.

2. I am duly authorized to answer Interrogatory 24 (as to the meetings identified in item number 4).

I hereby certify that the answers are true and correct to the best of my knowledge.

\_\_\_\_\_  
Paul W. Frame

Subscribed and sworn to before  
me this       day of       , 1985

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

KERR-MCGEE CHEMICAL CORPORATION  
(Kress Creek Decontamination)

)  
) Docket No. 40-2061

)  
) Source Material License  
) No. STA 583

)  
) ASLBP No. 84-502-01 SC

AFFIDAVIT OF MARTIN C. SHUMACHER

I, Martin C. Schumacher, being duly sworn, state as follows:

1. I am employed by the U.S. Nuclear Regulatory Commission as  
Chief of the Independent Measurement and Environmental Protection  
Section, Region III.

2. I am duly authorized to answer Interrogatory 24 (as to meeting  
numbers 10 and 13).

I hereby certify that the answers are true and correct to the best  
of my knowledge.

\_\_\_\_\_  
Martin C. Schumacher

Subscribed and sworn to before  
me this      day of      , 1985

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

KERR-MCGEE CHEMICAL CORPORATION  
(Kress Creek Decontamination)

)  
) Docket No. 40-2061

)  
) Source Material License  
) No. STA 583

)  
) ASLBP No. 84-502-01 SC

AFFIDAVIT OF ROBERT L. FONNER

I, Robert L. Fonner, being duly sworn, state as follows:

1. I am employed by the U.S. Nuclear Regulatory Commission as  
Deputy Director, Regulations Division, Office of the Executive Legal  
Director.

2. I am duly authorized to answer Interrogatory 24 (as to meeting  
number 2).

I hereby certify that the answers are true and correct to the best of  
my knowledge.

*Robert L. Fonner*  
Robert L. Fonner

Subscribed and sworn to before  
me this 25 day of May, 1985

*James L. [Signature]*  
Notary Public

My commission expires: 7/1/86



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

KERR-MCGEE CHEMICAL CORPORATION  
(Kress Creek Decontamination)

)  
) Docket No. 40-2061

)  
) Source Material License  
) No. STA 583

)  
) ASLBP No. 84-502-01 SC


AFFIDAVIT OF STEPHEN G. BURNS

I, Stephen G. Burns, being duly sworn, state as follows:

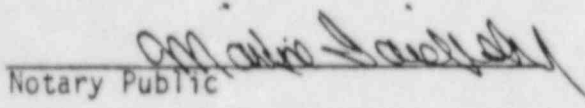
1. I am employed by the U.S. Nuclear Regulatory Commission as Deputy Director, Division of Regional Operations and Enforcement, Office of the Executive Legal Director.

2. I am duly authorized to answer Interrogatory 24 (as to meeting numbers 6, 8, and 9).

I hereby certify that the answers are true and correct to the best of my knowledge.

  
Stephen G. Burns

Subscribed and sworn to before  
me this 30 day of May, 1985

  
Notary Public

My commission expires: 7/1/86



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

KERR-MCGEE CHEMICAL CORPORATION  
(Kress Creek Decontamination)

)  
) Docket No. 40-2061

) Source Material License  
) No. STA 583

) ASLBP No. 84-502-01 SC

AFFIDAVIT OF STEPHEN H. LEWIS

I, Stephen H. Lewis, being duly sworn, state as follows:

1. I am employed by the U.S. Nuclear Regulatory Commission as  
Deputy Assistant Chief Hearing Counsel, Office of the Executive Legal  
Director.

2. I am duly authorized to answer Interrogatory 24 (as to meeting  
numbers 11 and 12).

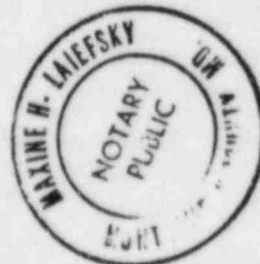
I hereby certify that the answers are true and correct to the best of  
my knowledge.

Stephen H. Lewis  
Stephen H. Lewis

Subscribed and sworn to before  
me this 30th day of May, 1985

Maxine H. Laiefsky  
Notary Public

My commission expires: 7/1/86





UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

KERR-MCGEE CHEMICAL CORPORATION  
(Kress Creek Decontamination)

Docket No. 40-2061

Source Material License  
No. STA 583

ASLBP No. 84-502-01 SC

- DOCKETED  
USNRC

'85 MAY 31 P3:58

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF SUPPLEMENTAL RESPONSES TO KERR-MCGEE CHEMICAL CORPORATION'S FIRST REQUEST FOR ANSWERS BY THE STAFF TO INTERROGATORIES AS TO ADMITTED CONTENTIONS" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or as indicated by an asterisk through deposit in the Nuclear Regulatory Commission's internal mail system, this 30th day of May 1985:

John H. Frye, III, Esq.  
Chairman  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555\*

Peter Nickles, Esq.  
Richard A. Meserve, Esq.  
Covington and Burling  
1201 Pennsylvania Avenue, N.W.  
P.O. Box 7566  
Washington, DC 20044

Dr. Peter A. Morris  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555\*

Mead Hedglon, Esq.  
Kerr-McGee Center  
P.O. Box 25861  
Oklahoma City, Oklahoma 73125

Dr. James H. Carpenter  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555\*

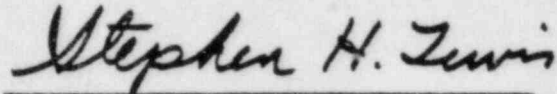
Steven Seiple, Esq.  
Illinois Department of Nuclear  
Safety  
1035 Outer Park Drive  
Springfield, Illinois 62704

Anne Rapkin, Esq.  
William J. Barzano, Jr., Esq.  
Assistant Attorneys General  
Environmental Control Division  
100 W. Randolph  
13th Floor  
Chicago, Illinois 60601

Docketing and Service Section  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555\*

Atomic Safety and Licensing Appeal  
Panel (5)  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555\*

Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555\*

A handwritten signature in cursive script that reads "Stephen H. Lewis". The signature is written in dark ink and is positioned above a horizontal line.

Stephen H. Lewis  
Counsel for NRC Staff