

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

---

In the Matter of:	)	Docket No. 72-22-ISFSI
	)	
PRIVATE FUEL STORAGE, LLC	)	ASLBP No. 97-732-02-ISFSI
(Independent Spent Fuel	)	
Storage Installation)	)	July 30, 1999

---

**DECLARATION OF DON A. OSTLER, P.E.**

I, Don A. Ostler, P.E., hereby declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the following statements are true and correct:

1. My present position is Director of Utah Division of Water Quality ("Division") and Executive Secretary of the Utah Water Quality Board ("Board"), in the Department of Environmental Quality ("DEQ"). I have held these positions since 1991. When DEQ was contained in the Department of Health, I held similar positions to my current position for the period 1987 to 1991 and from 1972 to 1987 I was a manager and permitting and review engineer in the Bureau of Water Quality.

2. From 1987 to 1992 I served in various positions, including president, president-elect, vice president and a governing board member, with the Nation Association of State and Interstate Water Pollution

Control Administrators. In 1989, I also served as Chairman of the Western States Water Council, Water Quality Committee.

3. I earned a Masters Degree in Civil and Environmental Engineering from the University of Utah in 1975 and a Bachelors Degree in Civil Engineering from the same institution in 1971.

4. As Director of the Division and as Executive Secretary to the Board, my responsibilities include the implementation and enforcement of the State's water quality program.

5. During more than 26 years of employment with the State of Utah, my day-to-day duties and responsibilities have included the analysis and review of water pollution control plans from a multitude of sources.

6. I have reviewed many hundreds of water pollution control plans from a variety of point and non-point pollution sources. This has included engineering plan review and writing surface water and ground water discharge permits. This work routinely requires evaluating activities by various industries and their potential to discharge pollutants to surface and ground water, as well as prescribing best available treatment or containment systems, practices, and technology.

7. I assisted the State with certain responses to Contention O, including Interrogatories 2-4 and 6, in the State's June 28, 1999 Objections and Response to Applicant's Second Set of Discovery

Requests with respect to Groups II and III Contentions.

8. I have reviewed the State's July 30, 1999 Response to Applicant's Motion to Compel Answers to Interrogatories for Utah Contention O, and declare that the statements contained therein are true and correct to the best of my knowledge, information and belief.

Executed this 30<sup>th</sup> day of July, 1999.

By:



Don A. Ostler, P.E.  
Director, Division of Water Quality  
Executive Secretary, Water Quality Board  
Utah Department of Environmental

Quality