

**SHAW PITTMAN  
POTTS & TROWBRIDGE**  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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Facsimile 202.663.8007

**PAUL A. GAUKLER**  
202.663.8304  
paul\_gaukler@shawpittman.com

New York  
Virginia

May 5, 1999

Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Attention Docketing & Services Branch  
11555 Rockville Pike, One White Flint North  
Rockville, MD , 20852-2738


**Re: Private Fuel Storage - Docket No. 72-22 - ASLBP No. 97-732-02**

To the Secretary of the Commission:

Enclosed please find Affidavits verifying Private Fuel Storage's Answers to the interrogatories and requests for admissions filed by PFS on April 21, 1999, in response to the State of Utah's First Set of Discovery Requests.

Please call me at 202-663-8304 if you have any questions.

Sincerely,

  
Paul Gaukler

Enclosures

cc: G. Paul Bollwerk III, Esq.  
Dr. Jerry R. Kline  
Dr. Peter S. Lam  
Adjudicatory File, Atomic Safety and Licensing Board Panel  
Sherwin Turk, Esq.  
Denise Chancellor, Esq.  
Diane Curran, Esq.  
John Paul Kennedy, Sr., Esq.  
Richard E. Condit, Esq.  
Joro Walker, Esq.  
Danny Quintana, Esq.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety And Licensing Board

In the Matter of

PRIVATE FUEL STORAGE L.L.C.

(Private Fuel Storage Facility)

)  
)  
)  
)  
)

Docket No. 72-22

ASLBP No. 97-732-02-ISFSI

AFFIDAVIT OF JOHN DONNELL

I, John Donnell, being duly sworn, state as follows:

1. I am the Project Director for Private Fuel Storage L.L.C. and am located in Denver, Colorado.
2. I am duly authorized to verify Private Fuel Storage's Responses to State's First Requests for Discovery to Private Fuel Storage; specifically, those responses to General Requests for Admission 1, 2 and 3.
3. I certify that the statements and opinions in such responses are true and correct to the best of my personal knowledge and belief.

John L. Donnell  
John Donnell

Sworn to and subscribed  
before me this 27<sup>th</sup> day  
of April, 1999.

C. Lynn Schwartz  
Notary Public

My commission expires:  
11/5/2001

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety And Licensing Board

In the Matter of )

PRIVATE FUEL STORAGE L.L.C. )

(Private Fuel Storage Facility) )


Docket No. 72-22

ASLBP No. 97-732-02-ISFSI

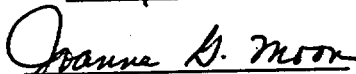
AFFIDAVIT OF DONALD W. LEWIS

I, Donald W. Lewis, being duly sworn, state as follows:

1. I am a Lead Mechanical Engineer for Private Fuel Storage employed by Stone & Webster in Denver, Colorado.
2. I am duly authorized to verify Private Fuel Storage's Responses to State's First Requests for Discovery to Private Fuel Storage; specifically, those responses to Contention Utah B, Interrogatory Nos. 1 and 2, and Contention Utah O, Interrogatory Nos. 1, 4, 5 and 6.
3. I certify that the statements and opinions in such responses are true and correct to the best of my personal knowledge and belief.

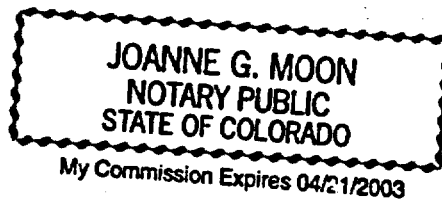
  
Donald W. Lewis

Sworn to and subscribed  
before me this 3<sup>RD</sup> day  
of MAY, 1999.

  
Notary Public

My commission expires:

04-21-2003



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety And Licensing Board

In the Matter of	)	
	)	
PRIVATE FUEL STORAGE L.L.C.	)	Docket No. 72-22
	)	
(Private Fuel Storage Facility)	)	ASLBP No. 97-732-02-ISFSI

**AFFIDAVIT OF JEFFREY JOHNS**

I, Jeffrey Johns, being duly sworn, state as follows:

1. I am a Senior Licensing Engineer employed by Stone & Webster in Denver, Colorado.
2. I am duly authorized to verify Private Fuel Storage's Responses to State's First Requests for Discovery to Private Fuel Storage; specifically, those responses to Contention Utah O, Interrogatory Nos. 2, 3 and 5.
3. I certify that the statements and opinions in such responses are true and correct to the best of my personal knowledge and belief.

  
Jeffrey Johns

Sworn to and subscribed  
before me this 27<sup>th</sup> day  
of April, 1999.

  
Notary Public

My commission expires:  
11/5/2001

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety And Licensing Board

In the Matter of	)	
	)	
PRIVATE FUEL STORAGE L.L.C.	)	Docket No. 72-22
	)	
(Private Fuel Storage Facility)	)	ASLBP No. 97-732-02-ISFSI

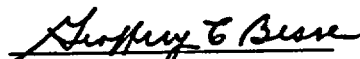
**AFFIDAVIT OF SUSAN DAVIS**

I, Susan Davis, being duly sworn, state as follows:

1. I am an environmental scientist employed by Stone & Webster in Boston, Massachusetts.
2. I am duly authorized to verify Private Fuel Storage's Responses to State's First Requests for Discovery to Private Fuel Storage; specifically, those responses to Contention Utah DD, Interrogatory Nos. 1, 2 and 3.
3. I certify that the statements and opinions in such responses are true and correct to the best of my personal knowledge and belief.

  
\_\_\_\_\_  
Susan Davis

Sworn to and subscribed  
before me this 27<sup>th</sup> day  
of April, 1999.

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

My commission expires:

~~GEOFFREY C. BESSE, NOTARY PUBLIC~~  
My Commission Expires June 7, 2002

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety And Licensing Board

In the Matter of )

PRIVATE FUEL STORAGE L.L.C. )

Docket No. 72-22

(Private Fuel Storage Facility) )

ASLBP No. 97-732-02-ISFSI

AFFIDAVIT OF JOHN CLARK

I, John Clark, being duly sworn, state as follows:

1. I am President of Bay Geophysical in Traverse City, MI.

2. I am duly authorized to verify Private Fuel Storage's Responses to State's First Requests for Discovery to Private Fuel Storage; specifically, those responses to Contention Utah L, Interrogatory Nos. 1, 2 and 3, concerning the geophysical data and processing used in the Bay Geophysical report.

3. I certify that the statements and opinions in such responses concerning the geophysical data and processing used in the Bay Geophysical report are true and correct to the best of my personal knowledge and belief.

  
John Clark

Sworn to and subscribed  
before me this 29 day  
of April, 1999.

  
Notary Public

My commission expires:

AMY L. FABER  
NOTARY PUBLIC - GRAND TRAVERSE COUNTY, MI  
MY COMMISSION EXP. 02/20/2001

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety And Licensing Board

In the Matter of )

PRIVATE FUEL STORAGE L.L.C. )

(Private Fuel Storage Facility) )

Docket No. 72-22

ASLBP No. 97-732-02-ISFSI

AFFIDAVIT OF JERRY COOPER

I, Jerry Cooper, being duly sworn, state as follows:

1. I am employed as a Project Engineer by Stone & Webster in Denver, Colorado.
2. I am duly authorized to verify Private Fuel Storage's Responses to State's First Requests for Discovery to Private Fuel Storage; specifically, those responses to Contention Utah O, Interrogatory No. 7.
3. I certify that the statements and opinions in such responses are true and correct to the best of my personal knowledge and belief.

  
Jerry Cooper

Sworn to and subscribed  
before me this 27<sup>th</sup> day  
of April, 1999.

  
Notary Public

My commission expires:  
11/5/2001

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of )

PRIVATE FUEL STORAGE L.L.C. )

(Private Fuel Storage Facility) )

Docket No. 72-22

ASLBP No. 97-732-02-ISFSI

AFFIDAVIT OF FRANK H. SWAN

I, Frank H. Swan, being duly sworn, state as follows:

1. I am employed as a Principal Geologist at Geomatrix Consultants, Inc., in Oakland, California.
2. I am duly authorized to verify Private Fuel Storage's Responses to State's First Requests for Discovery to Private Fuel Storage; specifically, those responses to Contention Utah L, Interrogatory No. 2 and 3 concerning geological information and data.
3. I certify that the statements and opinions in such responses concerning geological information and data are true and correct to the best of my personal knowledge and belief.

State of California )

County of Alameda )

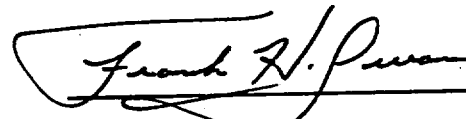
Sworn to and subscribed  
before me this 28th day  
of April, 1999.

M D Griffin

Notary Public

My commission expires:

August 23, 1999

  
Frank H. Swan





UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety And Licensing Board

In the Matter of )

PRIVATE FUEL STORAGE L.L.C. )

Docket No. 72-22

(Private Fuel Storage Facility) )

ASLBP No. 97-732-02-ISFSI

AFFIDAVIT OF JOHN A. VINCENT

I, John A. Vincent, being duly sworn, state as follows:

1. I am employed by GPU Nuclear as Senior Engineer Nuclear Fuel in Parsippany, New Jersey.
2. I am duly authorized to verify Private Fuel Storage's Responses to State's First Requests for Discovery to Private Fuel Storage; specifically, those responses to Contention Utah B, Interrogatory No. 3.
3. I certify that the statements and opinions in such responses are true and correct to the best of my personal knowledge and belief.

  
John A. Vincent

Sworn to and subscribed  
before me this 27<sup>th</sup> day  
of April, 1999.

  
Notary Public

My commission expires:

JULIENNE J. SCHWARTZ  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires June 24, 2002

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety And Licensing Board

In the Matter of	)	
	)	
PRIVATE FUEL STORAGE L.L.C.	)	Docket No. 72-22
	)	
(Private Fuel Storage Facility)	)	ASLBP No. 97-732-02-ISFSI

AFFIDAVIT OF PAUL A. GAUKLER

I, Paul A. Gaukler, being duly sworn, state as follows:

1. I am counsel with Shaw Pittman Potts & Trowbridge in Washington, D.C.
2. I am duly authorized to verify Private Fuel Storage's Responses to State's First Requests for Discovery to Private Fuel Storage; specifically, those responses to General Interrogatory Nos. 1-5.
3. I certify that the statements in such responses are true and correct to the best of my personal knowledge and belief.

  
Paul A. Gaukler

Sworn to and subscribed  
before me this 4<sup>th</sup> day  
of May, 1999.

  
Notary Public

My commission expires:

8-14-2000

May 6, 1999

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
PRIVATE FUEL STORAGE L.L.C.	)	Docket No. 72-22
	)	
(Private Fuel Storage Facility)	)	ASLBP No. 97-732-02-ISFSI

NOTICE OF DEPOSITIONS

Please take notice that Applicant Private Fuel Storage L.L.C. will take the depositions of the following persons on the locations and times as indicated.

Donald Verbica Utah Contention K	Monday, May 10 at 2:00 p.m.	Parsons Behle & Latimer Conference Room 19-B Parsons, Behle & Latimer 201 South Main Street, Suite 1800 Salt Lake City, UT 84145
William M. Wallner Utah Contention K	Tuesday, May 11, 1999 at 9:00 a.m.	Parsons Behle & Latimer Conference Room 19-B Parsons, Behle & Latimer 201 South Main Street, Suite 1800 Salt Lake City, UT 84145
Bronson W. Hawley Utah Contention K	Tuesday, May 11, 1999 at 1:00 p.m.	Parsons Behle & Latimer Conference Room 19-B Parsons, Behle & Latimer 201 South Main Street, Suite 1800 Salt Lake City, UT 84145

David Larsen  
Utah Contention K

Wednesday, May  
12, 1999 at 8:30  
a.m.

Parsons Behle & Latimer  
Conference Room 19-B  
Parsons, Behle & Latimer  
201 South Main Street, Suite 1800  
Salt Lake City, UT 84145

John L. Matthews  
Utah Contention K

Wednesday, May  
12, 1999 at 1:00  
p.m.

Parsons Behle & Latimer  
Conference Room 19-B  
Parsons, Behle & Latimer  
201 South Main Street, Suite 1800  
Salt Lake City, UT 84145

Marvin Resnikoff  
Utah Contentions B, C,  
F/P & G (and any other  
Group I Contentions on  
which Dr. Resnikoff  
would testify)

Wednesday, May  
19, 1999 at 9:00  
a.m.

Shaw Pittman Potts & Trowbridge  
Conference Room 5A  
2300 N Street, N.W.  
Washington, D.C. 20037

Respectfully submitted,



Jay E. Silberg

Ernest L. Blake, Jr.

Paul A. Gaukler

SHAW, PITTMAN, POTTS & TROWBRIDGE

2300 N Street, N.W.

Washington, DC 20037

(202) 663-8000

Dated: May 6, 1999

Counsel for Private Fuel Storage L.L.C.

**UNITED STATES OF AMERICA**  
**NUCLEAR REGULATORY COMMISSION**

**Before the Commission**

In the Matter of	)	
	)	
PRIVATE FUEL STORAGE L.L.C.	)	Docket No. 72-22
	)	
(Private Fuel Storage Facility)	)	

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Notice of Depositions were served on the persons listed below (unless otherwise noted) by e-mail with conforming copies by U.S. mail, first class, postage prepaid, this 6th day of May 1999.

G. Paul Bollwerk III, Esq., Chairman  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
e-mail: GPB@nrc.gov

Dr. Jerry R. Kline  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
e-mail: JRK2@nrc.gov

Dr. Peter S. Lam  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
e-mail: PSL@nrc.gov

\* Susan F. Shankman  
Deputy Director, Licensing & Inspection  
Directorate, Spent Fuel Project Office  
Office of Nuclear Material Safety &  
Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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

Catherine L. Marco, Esq.  
Sherwin E. Turk, Esq.  
Office of the General Counsel  
Mail Stop O-15 B18  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555  
e-mail: [pfscase@nrc.gov](mailto:pfscase@nrc.gov)

John Paul Kennedy, Sr., Esq.  
Confederated Tribes of the Goshute  
Reservation and David Pete  
1385 Yale Avenue  
Salt Lake City, Utah 84105  
e-mail: [john@kennedys.org](mailto:john@kennedys.org)

Diane Curran, Esq.  
Harmon, Curran, Spielberg &  
Eisenberg, L.L.P.  
1726 M Street, N.W., Suite 600  
Washington, D.C. 20036  
e-mail: [DCurran.HCSE@zzapp.org](mailto:DCurran.HCSE@zzapp.org)

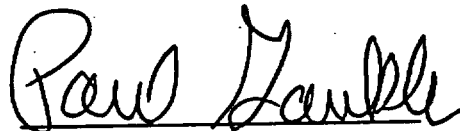
\* Adjudicatory File  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Denise Chancellor, Esq.  
Assistant Attorney General  
Utah Attorney General's Office  
160 East 300 South, 5<sup>th</sup> Floor  
P.O. Box 140873  
Salt Lake City, Utah 84114-0873  
e-mail: [dchancel@state.UT.US](mailto:dchancel@state.UT.US)

Joro Walker, Esq.  
Land and Water Fund of the Rockies  
165 South Main, Suite 1  
Salt Lake City, UT 84111  
e-mail: [joro61@inconnect.com](mailto:joro61@inconnect.com)

Danny Quintana, Esq.  
Skull Valley Band of Goshute Indians  
Danny Quintana & Associates, P.C.  
50 West Broadway, Fourth Floor  
Salt Lake City, Utah 84101  
e-mail: [quintana@xmission.com](mailto:quintana@xmission.com)

\* By U.S. mail only

  
Paul A. Gaukler