

May 28, 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))

**INTERVENOR SOUTHERN UTAH WILDERNESS ALLIANCE'S
RESPONSES TO THE APPLICANT'S FIRST SET OF
INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS**

Below Intervenor Southern Utah Wilderness Alliance (SUWA)
provides its responses and objections to Private Fuel Storage's (PFS or
Applicant) first set of interrogatories and document requests.

RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 1. State the name, business address, and job title of each person who was consulted and/or who supplied information for responding to interrogatories, requests for admissions and requests for the production of documents. Specifically note for which interrogatories, requests for admissions and requests for production each such person was consulted and/or supplied information.

If the information or opinions of anyone who was consulted in connection with your response to an interrogatory or request for admission differs from your written answer to the discovery request, please describe in detail the differing information or opinions, and indicate why such differing information or opinions are not your official position as expressed in your written answer to the request.

Response: Dr. Jim Catlin provided information that was utilized in SUWA's response to each of PFS's interrogatories. Dr. Catlin's contact information is:

Project Director
Wild Utah Project
165 S. Main Street
Salt Lake City, Utah 84111
801-328-3550

INTERROGATORY NO. 2. Please provide the name, address, profession, employer, area of professional expertise, and educational and scientific experience of each person whom SUWA expects to call as a witness or expert witness at the hearing and the subject matter about which each witness or expert witness will testify. For each expert witness please include a list of all publications authored by the witness within the preceding ten years and a listing of any other cases in which the witness has testified as an expert at a trial, hearing or by deposition within the preceding four years. Please describe the subject matter on which each of the witnesses is expected to testify at the hearing by detailing the facts and opinions to which each witness is expected to testify, including a summary of the grounds for each opinion, and identify the documents (including all pertinent pages or parts thereof), data or other information which each witness has reviewed and considered, or is expected to consider or to rely on for his or her testimony.

Response: Because the hearing on SUWA's contention is not scheduled to be heard until 2001, the group has not determined whom it may call to testify. SUWA will update this response as required by 10 C.F.R. § 2.740(e) as determinations are made regarding witnesses.

INTERROGATORY NO. 3. Identify and fully describe each alternative to the proposed alignment of the Low Corridor rail line that SUWA asserts would have fewer or less severe environmental impacts than

the alignment now proposed by PFS, including the precise alignment of each proposed alternative, and the scientific and technical bases for SUWA's position.

Response: SUWA objects to this interrogatory because the question is in direct conflict with the determination of the Commission on the issue of alternative analyses. In the Matter of Private Fuel Storage, Dkt. NO. 72-22-ISFSI, CLI-99-10 (1999) (slip op. at 10 - 12).

Without waiving this objection, SUWA is unaware of any rail configuration that would not detrimentally injure the wilderness characteristics of the North Cedar Mountain area. Rail configurations that might pose the least damage to the region may be those most closely aligned with the highway that currently runs through Skull Valley. Further, as Dr. Catlin stated in his second declaration, ¶ 9, "[a]n alternative alignment to the proposed rail spur that avoided the North Cedar Mountain roadless area . . . and/or ran two miles to the east of the current alignment ([so long as the alignment avoided] sensitive wetlands, etc.) would have less impact on the wilderness character of the North Cedar Mountain roadless area"

INTERROGATORY NO. 4. For each alternative identified by SUWA, identify and fully describe each environmental impact that SUWA asserts PFS's proposed rail alignment would have that SUWA's rail alignment alternative would not have, the specific environmental impacts associated with SUWA's alternative that PFS's proposed rail alignment would not have, and the scientific and technical bases therefor.

Response: SUWA objects to this interrogatory because the question is in direct conflict with the determination of the Commission on the issue of alternative analyses. In the Matter of Private Fuel Storage, Dkt. NO. 72-22-ISFSI, CLI-99-10 (1999) (slip op. at 10 - 12).

Without waiving this objection, SUWA states that negative impacts to the roadless character of the North Cedar Mountains, as identified in both of Dr. Catlin's Declarations, would be lessened proportionately as the alignments were moved vertically away from the North Cedar Mountains. This is because these types of impacts tend to lessen proportionately as the source of the impacts are moved from the target of the impacts.

Furthermore, if SUWA develops this analysis, it will supplement this interrogatory appropriately and in a timely fashion as is required by the regulations that govern this proceeding.

INTERROGATORY NO. 5. Identify and fully describe the feasibility of building and using, for the shipment of spent fuel transportation casks, each of the rail line alignment alternatives identified by SUWA in Interrogatory No. 3, and the scientific, technical and engineering bases therefor.

Response: SUWA objects to this interrogatory because the question is in direct conflict with the determination of the Commission on the issue of alternative analyses. In the Matter of Private Fuel Storage, Dkt. NO. 72-22-ISFSI, CLI-99-10 (1999) (slip op. at 10 - 12).

However, if SUWA develops this analysis, it will supplement this interrogatory appropriately and in a timely fashion as is required by the regulations that govern this proceeding.

INTERROGATORY NO. 6. Identify and fully describe the cost to build and maintain each of the rail line alignment alternatives identified by SUWA in Interrogatory No. 3, along with the factual and any other bases supporting SUWA's estimates of those costs.

Response: SUWA objects to this interrogatory because the question is in direct conflict with the determination of the Commission on the issue of alternative analyses. In the Matter of Private Fuel Storage, Dkt. NO. 72-22-ISFSI, CLI-99-10 (1999) (slip op. at 10 - 12).

However, if SUWA develops this analysis, it will supplement this interrogatory appropriately and in a timely fashion as is required by the regulations that govern this proceeding.

RESPONSES TO DOCUMENT REQUESTS

REQUEST NO 1: Any documents related to the claims raised by SUWA in Contention SUWA B, as admitted by the Board.

Response: The documents requested are located at the Utah Office of the Law Fund, 2056 East 3300 South Street, Suite 1, Salt Lake City, Utah 84109 and are available for inspection and copying.

REQUEST NO. 2: All documents, data or other information generated, reviewed, considered or relied upon by any expert or consultant assisting SUWA with respect to SUWA B.

Response: The documents requested are located at the Utah Office of the Law Fund, 2056 East 3300 South Street, Suite 1, Salt Lake City, Utah 84109 and are available for inspection and copying.

REQUEST NO. 3: All calculations, studies, evaluations, analyses or other documents relating to the environmental impacts of the Low Corridor rail line in its alignment as proposed by PFS.

Response: The documents requested are located at the Utah Office of the Law Fund, 2056 East 3300 South Street, Suite 1, Salt Lake City, Utah 84109 and are available for inspection and copying.

REQUEST NO. 4: All documents identifying any alternatives proposed or endorsed by SUWA to PFS's proposed alignment of the Low Corridor rail line.

SUWA objects to this request because the question is in direct conflict with the determination of the Commission on the issue of alternative analyses and therefore outside the scope of SUWA's contention. In the Matter of Private Fuel Storage, Dkt. NO. 72-22-ISFSI, CLI-99-10 (1999) (slip op. at 10 - 12). However, if SUWA acquires these documents, it will inform PFS and make these documents available for inspection and copying.

REQUEST NO. 5: All documents identifying the ownership of the land that would be traversed by the alternatives proposed or endorsed by SUWA to PFS's proposed alignment of the Low Corridor rail line.

SUWA objects to this request because the question is in direct conflict with the determination of the Commission on the issue of alternative

analyses and therefore outside the scope of SUWA's contention. In the Matter of Private Fuel Storage, Dkt. NO. 72-22-ISFSI, CLI-99-10 (1999) (slip op. at 10 - 12). However, if SUWA acquires these documents, it will inform PFS and make these documents available for inspection and copying.

REQUEST NO. 6: All calculations, studies, evaluations, analyses or other documents relating to the environmental impacts of any potential alignment of the Low Corridor rail line other than that proposed by PFS.

Response: SUWA objects to this request because the question is in direct conflict with the determination of the Commission on the issue of alternative analyses and therefore outside the scope of SUWA's contention. In the Matter of Private Fuel Storage, Dkt. NO. 72-22-ISFSI, CLI-99-10 (1999) (slip op. at 10 - 12). SUWA is unaware of any responsive documents. However, if SUWA acquires these documents, it will inform PFS and make these documents available for inspection and copying.

REQUEST NO. 7: All documents relating to the environmental impacts of any alternatives to PFS's proposed alignment of the Low Corridor rail line that SUWA asserts would have fewer or less severe environmental impacts than the alignment now proposed by PFS.

Response: See Response to Request No. 6.

REQUEST NO. 8: All documents concerning the scientific, technical, or engineering feasibility of building and using, for the shipment of spent fuel transportation casks, each of the alternative rail line alignments for the Low Corridor rail line that SUWA asserts would have fewer or less severe environmental impacts than the alignment now proposed by PFS.

Response: See Response to Request No. 6.

REQUEST NO. 9: All documents concerning the cost to build and maintain each of the alternative alignments for the Low Corridor rail line that SUWA asserts would have fewer or less severe environmental impacts

than the alignment now proposed by PFS, including those documents providing the factual basis supporting SUWA's estimates of those costs.

Response: See Response to Request No. 6.

Dated the 28th of May, 1999.



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