



Michael O. Leavitt
Governor
Craig L. Dearden
Commissioner
Ferris E. Groll
Deputy Commissioner

State of Utah

DEPARTMENT OF PUBLIC SAFETY DIVISION OF COMPREHENSIVE EMERGENCY MANAGEMENT

State Office Building, Room 1110
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(801) 538-3770 FAX Line

Earl R. Morris
Director

May 4, 1999

Mr. Scott C. Flanders
Senior Environmental Project Manager
Spent Fuel Project Office
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Flanders:

The Utah Department of Public Safety, Division of Comprehensive Emergency Management (CEM) is the sole State agency designated to mitigate, prepare for, respond to, and recover from the effects of disasters and emergencies throughout Utah. Our vital mission is specifically mandated by Utah statute, and we work closely with local, State and federal agencies, and private sector organizations in the fulfillment of this important work. CEM's long history of service has been recognized to be among the finest in the emergency management field.

As CEM Director, I am appointed as the Governor's Authorized Representative (GAR) in times of emergency and disaster, with specific duties and responsibilities delineated in the State of Utah Emergency Operations Plan that correlate to the Federal Response Plan. I also hold the primary State relationship with the Federal Emergency Management Agency through Region VIII in Denver, Colorado. For example, the GAR coordinates all wildfire suppression activities throughout the State, working closely with the Utah State Forester and the federal Interagency Fire Center.

From this perspective, it is incomprehensible that Private Fuel Storage, L.L.C. (PFS) persists in ignoring the health and safety requirements of the residents of Utah by avoiding contact and coordination with CEM, a posture it has maintained since the inception of its initial proposal to store high-level nuclear waste on the Skull Valley Band, Goshute Indian Reservation in Tooele County. CEM has previously provided extensive oral and written comments during previous public scoping processes related to the PFS proposal, and has directly provided substantial information to PFS and Nuclear Regulatory Commission representatives. To-date, PFS has made no attempt to address any of the critical issues and emergency planning elements brought forth by CEM.

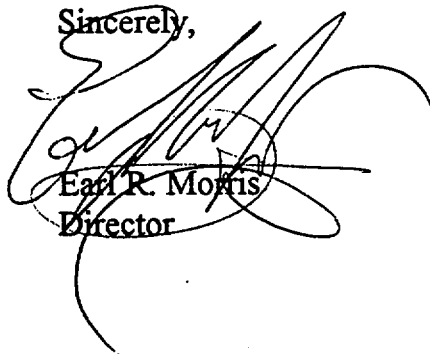
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Mr. Scott C. Flanders
May 4, 1999
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In the absence of PFS' recognition of its responsibility to follow the precedent of "maximum protection" of the public and environment previously established by CEM, and PFS' continuing failure to cooperate, communicate and coordinate with CEM on all emergency management planning requirements, this agency must vigorously oppose any efforts by PFS to establish the high-level nuclear waste storage facility at Skull Valley. Accordingly, CEM expresses its complete lack of confidence in Private Fuel Storage's proposal of this ill-conceived facility that is so clearly not in the best interests of the people of Utah.

Thank you for your consideration and support of our position.

Sincerely,



Earl R. Morris
Director

ERM/dc/lis

cc: Dr. Dianne Nielson, Executive Director
Utah Department of Environmental Quality

Ferris E. Groll, Deputy Commissioner
Utah Department of Public Safety

Mr. Leo Berggen, Resource Advisor
U.S. Department of the Interior
Bureau of Land Management

Mr. Dale Hamberg
Land Operation Officer
U.S. Department of the Interior
Bureau of Indian Affairs



State of Utah

School and Institutional
TRUST LANDS ADMINISTRATION

Michael O. Leavitt
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David T. Terry
Director

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ATTACHMENT E

April 14, 1999

LINDA COVILLE
ACTING STATE DIRECTOR
USDI, BUREAU OF LAND MANAGEMENT
UTAH STATE OFFICE
PO BOX 45155
SALT LAKE CITY, UTAH
84145-0155

Dear Ms. Coville:

Let me take this opportunity to congratulate you on your appointment to this position. I look forward to continuing our productive relationship. Please accept this letter as a formal nomination of lands to the BLM/State of Utah Exchange MOU FOCUS LIST:

All public lands in the following sections:

Township 1 South, Range 8 West, SLB&M
Sections 1-12

Township 1 North, Range 8 West, SLB&M
Section 31

Township 1 North, Range 9 West, SLB&M
Sections 7-9, 17, 18, 21, 22, 23, 25-27, & 35

Township 1 North, Range 10 West, SLB&M
Sections 13, 14, 22-24, 26, 27, 33-35

As we contemplate growth along the Wasatch Front, we anticipate that these lands will have potential for long-term industrial development. We would appreciate your immediate attention to this proposal. If you have any questions regarding this nomination, please don't hesitate to contact me.

Sincerely,

KEVIN S. CARTER
ASSISTANT DIRECTOR - SURFACE

UNITED STATES OF AMERICA
BEFORE THE U.S. NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

PRIVATE FUEL STORAGE, L.L.C.
(Independent Spent Fuel
Storage Installation)

Docket No. 72-22-ISFSI

September 29, 1998

DECLARATION OF DR. MARVIN RESNIKOFF

I, Dr. Marvin Resnikoff, declare under penalty of perjury that:

1. I am the Senior Associate at Radioactive Waste Management Associates, a private consulting firm based in New York City. On November 20, 1997 and January 16, 1998, I prepared declarations which were submitted to the Licensing Board by the State of Utah in support of its contentions regarding Private Fuel Storage, L.L.C.'s proposed Independent Fuel Storage Installation. A statement of my qualifications was attached to November 1997 declaration.

2. I am familiar with Private fuel Storage's ("PFS's") license application and Safety Analysis Report in this proceeding, as well as the nonproprietary versions of applications for the storage and transportation casks PFS plans to use. I am also familiar with NRC regulations, guidance documents, and environmental studies relating to the transportation, storage, and disposal of spent nuclear power plant fuel, and with NRC decommissioning requirements.

3. I assisted in the preparation of, and have reviewed, the State of Utah's Contention B-1, License Needed for Intermodal Transfer Facility. The technical facts presented in the State's Reply regarding those contentions are true and correct to the best of my knowledge, and the conclusions drawn from those facts are based on my best professional judgment.

Dr. Marvin Resnikoff