

2/353

STATE OF UTAH
OFFICE OF THE ATTORNEY GENERAL



DOCKETED
USMRU

'00 MAR 10 P12:33

JAN GRAHAM
ATTORNEY GENERAL

OFFICE OF THE
ATTORNEY GENERAL
ADULT

JAMES R. SOPER
Solicitor General

REED RICHARDS
Chief Deputy Attorney General

February 28, 2000

Emile L. Julian, Assistant for
Rulemakings and Adjudications
Rulemakings and Adjudications Staff
Office of the Secretary
U.S. Nuclear Regulatory Commission
11555 Rockville Pike, One White Flint North
Mail Stop: O16G15
Washington, D.C. 20555

Re: In the Matter of Private Fuel Storage, LLC, Docket 72-22

Dear Mr. Julian;

Enclosed are the following:

1. Original signed Supplemental Declaration of Dr. Michael F. Sheehan, dated January 10, 2000, of which the faxed copy of the signature page was attached to the State of Utah's State's Reply to the NRC Staff's Response to the Applicant's Motion for Partial Summary Disposition of Utah Contention E/Confederated Tribes F, dated January 10, 2000; since this Declaration may contain information claimed by PFS as proprietary, please treat it as a proprietary document pending PFS's determination of its proprietary nature;
2. Original signature page (and two copies) of Declaration of Farhang Ostadan, PhD, the faxed copy of which was included in Dr. Ostadan's Declaration attached to the State of Utah's January 21, 2000 Response to Applicant's Motion for Summary Disposition of Utah Contention GG - Failure to Demonstrate Cask-Pad Stability During Seismic Event for TranStor Casks;
3. Original signed Declarations (and two copies of each) of Dr. Walter J. Arabasz and Dr. Marvin Resnikoff in Support of State of Utah's Request for Admission of Late-filed Modification to Basis 2 of Utah Contention L, dated January 26, 2000, the faxed versions of which were originally filed on January 26, 2000;
4. Original signed Declarations (and two copies of each) of Dr. Michael F. Sheehan, Dr. Marvin Resnikoff, Dr. M. Lee Allison, Dr. Steven F. Bartlett, and Dr. Farhang Ostadan, dated January 31, 2000, the faxed versions of which were originally attached to the State of Utah's January 31, 2000 Objections and Responses to Applicant's Fourth Set of Discovery Requests to Intervenors State of Utah and Confederated Tribes;

DS03

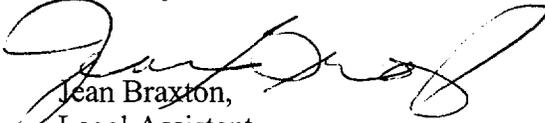
Letter to Emile L. Julian, February 28, 2000; page 2

5. Original signed Declarations (and two copies of each) of Dr. Walter J. Arabasz and Dr. James C. Pechmann dated January 31, 2000, the faxed versions of which were attached to the State of Utah's January 31, 2000 Objections and Responses to Applicant's Fifth Set of Discovery Requests to Intervenors State of Utah and Confederated Tribes;
6. Original signed Declaration (and two copies of each) of Michael F. Sheehan dated February 4, 2000, the faxed version of which was attached to State of Utah's February 4, 2000 Motion to Compel NRC Staff to Respond to State's Fourth Set of Discovery Requests (Utah Contention E)
7. Original signed Declaration (and two copies) of Michael F. Sheehan dated February 7, 2000, the faxed version of which was attached to the State of Utah's February 7, 2000 Motion to Compel Applicant to Respond to State's Ninth Set of Discovery Requests
8. Original signed Declaration (and two copies) of Dr. Marvin Resnikoff dated February 8, 2000, the faxed version of which was attached to the State of Utah's February 9, 2000 Motion to Compel Deposition of NRC Staff Witness,; and
9. Original signed Declaration (and two copies) of Michael F. Sheehan dated February 11, 2000, the faxed version of which was attached to the State of Utah's February 11, 2000 Reply to Applicant's and NRC Staff's Responses to Utah's Request For Admission of Late-filed Bases for Utah Contention E.
10. Original signed Declaration (and two copies) of Michael F. Sheehan dated February 16, 2000, the faxed version of which was attached to the State of Utah's February 16, 2000 Reply to Applicant's and NRC Staff's Responses to Utah's Request For Admission of Late-filed Bases for Utah Contention S.

Please replace the faxed pages with these original signed pages.

Please contact me with any questions at (801) 366-0287. Thank you.

Sincerely,


Jean Braxton,
Legal Assistant

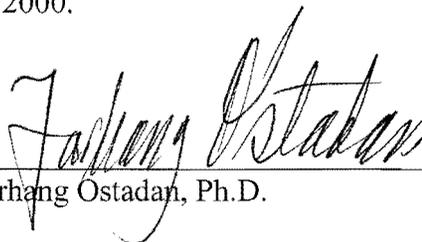
Enclosures: as stated

cc: PFS Docket 72-22-ISFSI Service List, without enclosure

both the static and dynamic loading, it is my opinion that the Holtec 2000 analysis relied upon by the Applicant still fails to consider variation of coefficient of friction over the surface of the pad and the shift from static case to kinetic case.

12. This Declaration has been prepared in support of the State of Utah's Response to Applicant's Motion for Summary Disposition of Contention Utah GG, and the State's accompanying Statement of Material Facts, and is true and correct to the best of my knowledge and belief.

DATED this January 21, 2000.



Farhang Ostadan, Ph.D.

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)	)	January 26, 2000

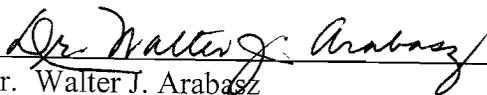
**DECLARATION OF DR. WALTER J. ARABASZ IN SUPPORT OF
STATE OF UTAH'S REQUEST FOR ADMISSION OF LATE-FILED
MODIFICATION TO BASIS 2 OF UTAH CONTENTION L**

I, Dr. Walter J. Arabasz, declare under penalty of perjury that:

1. I am Research Professor of Geology and Geophysics and Director, University of Utah Seismograph Stations; University of Utah, Salt Lake City, Utah. I have 30 years professional experience in scientific research, occasional teaching, consulting, and publishing articles in observational seismology, seismotectonics, and earthquake hazard analysis with a primary focus on Utah and the Intermountain West. My curriculum vitae, attached hereto as Exhibit A, gives greater detail about my professional qualifications, experience and publications.

2. I am familiar with Private Fuel Storage's ("PFS's") license application and Safety Analysis Report in this proceeding, and other information submitted by the Applicant with respect to earthquake hazards. I am also familiar with NRC regulations, Rulemaking Plan to amend Part 72, guidance documents, the methodologies for earthquake hazard evaluation and new developments in the field of earthquake hazard evaluation. Furthermore, during the past decade I have had a significant involvement in assessing vibratory and fault-displacement hazards for the Yucca Mountain high-level nuclear waste repository and I have also served on the National Research Council's Panel on Seismic Hazard Evaluation.

3. I assisted in the preparation of State of Utah's Request for Admission of Late-Filed Modification to Basis 2 of Utah Contention L, filed on January 26, 2000 ("Modification to Basis 2"), with the exception of the portion of the document that relates to dose limits.


Dr. Walter J. Arabasz

January 26, 2000

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) January 26, 2000

**DECLARATION OF DR. MARVIN RESNIKOFF IN SUPPORT OF
STATE OF UTAH'S REQUEST FOR ADMISSION OF LATE-FILED
MODIFICATION TO BASIS 2 OF UTAH CONTENTION L**

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. A statement of my qualifications has been filed previously in this proceeding. *See e.g.*, Exhibit 2 to State of Utah Contentions filed November 23, 1997. I am an expert in the field of radioactive waste management, including spent nuclear power plant fuel storage.

2. I am familiar with Private Fuel Storage's ("PFS's") license application and Safety Analysis Report in this proceeding, as well as the 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, in part, of State of Utah's Request for Admission of Late-Filed Modification to Basis 2 of Utah Contention L, filed on January 26, 2000 ("Modification to Basis 2")

4. As stated in Modification to Basis 2, a loaded HI-TRAC overpack is not designed to withstand a 30-foot drop. The HI-TRAC transfer cask is designed to withstand a drop from a horizontal lift height of 42 inches.¹ This is at least in part because the HI-TRAC overpack does not have impact limiters. For this reason, PFS has not

¹ Table 2.2.8, HI-STORM TSAR, Holtec.

provided a reasonable assurance that NRC dose limits would not be exceeded in an accident involving the drop of a loaded HI-TRAC overpack. PFS is relying on the single failure-proof crane to prevent a drop of the HI-TRAC, but safety cannot be assured if the crane fails in a 2,000-year return earthquake.

5. There are other reasons why the PFS facility may exceed NRC dose limits. For example, PFS's accident evaluation does not bound the design basis accident, because the accidents considered by PFS are not design basis accident DE IV under ANSI/ANS-57.9-1999.

6. Furthermore, the assumed accident leak rate is too small and the assumed breach hole in the canister considered by PFS is too small. This leakage rate is consistent with Table 4-1, NUREG-1617, "Standard Review Plan for Transportation Packages for Spent Nuclear Fuel," that is based on another NRC document, NUREG/CR-6487, "Containment Analysis for Type B Packages Used to Transport Various Contents."²

7. The leakage rate and calculation methodology in NUREG/CR-6487 are based on ANSI standard N14.5 for transportation casks.³ But the assumed leakage rate is not conservative because it is based on testing requirements that will not be met for storage casks. ANSI standard N14.5⁴ assumes that casks will be leak-tested periodically, before shipment and after maintenance and repair. But some ISFSI's, such as the PFS facility, have no provisions for testing helium leakage during storage and no provisions for repairing and maintaining casks and testing for leakage after repair and maintenance. Thus, these ISFSI's cannot satisfy the leak testing requirements of N14.5, and NUREG-1617 does not provide a conservative basis for detecting leakage rates.

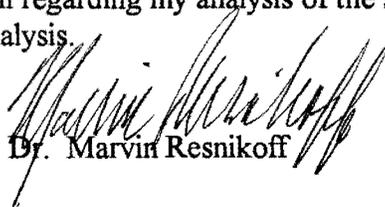
² Anderson, BL et al, "Containment Analysis for Type B Packages Used to Transport Various Contents," Lawrence Livermore National Laboratory, NUREG/CR-6487, November 1996.

³ NUREG/CR-6487, p. 1.

⁴ American National Standards Institute, ANSI N14.5, "Leakage Tests on Packages for Shipment," Table 1.

8. Further, the methodology employed in NUREG/CR-6487 may not apply for certain accidents that exceed the design basis accident. NUREG/CR-6487 calculates the leak hole diameter that corresponds to a regulatory-allowable release rate under accident conditions. This leak hole size can easily be exceeded in accidents involving sabotage. Impact with a MILAN or TOW-2 hand held anti-tank device can produce a leak hole larger than calculated in NUREG/CR-6487. Impact with a jet engine or a hanging bomb at 600mph can also produce leak holes larger than estimated in NUREG/CR-6487.

9. If Modification to Basis 2 is admitted, I am prepared to provide expert testimony regarding these matters. I expect that my testimony would follow the general outline of the statements in paragraphs 4 through 6 above. In addition, I would provide additional detail regarding the PFS facility design based on information gathered in discovery, as well as additional detail regarding my analysis of the size of the breach hole considered by PFS in its accident analysis.


Dr. Marvin Resnikoff

January 26, 2000

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)	
(Independent Spent Fuel	)	ASLBP No. 97-732-02-ISFSI
Storage Installation))	
	)	January 31, 2000

DECLARATION OF MICHAEL F. SHEEHAN, Ph.D.

I, Michael F. Sheehan, declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the statements contained in State of Utah's Objections and Responses to Applicant's Fourth Set of Discovery Requests to Intervenors State of Utah and Confederated Tribes, dated January 31, 2000, relating to Utah Contention E and S; and in State of Utah's Objections and Responses to Applicant's Fifth Set of Discovery Requests to Intervenors State of Utah and Confederated Tribes, dated January 31, 2000, relating to Utah Contention E, are true and correct to the best of my knowledge, information and belief.

Executed this 31st day of January, 2000.

By:



Michael F. Sheehan, Ph.D.
Osterberg & Sheehan

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

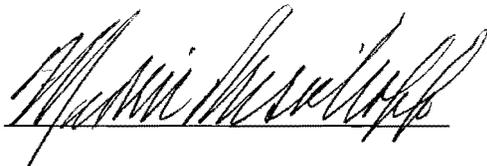
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	
	)	Docket No. 72-22-ISFSI
)	
PRIVATE FUEL STORAGE, LLC	)	ASLBP No. 97-732-02-ISFSI
(Independent Spent Fuel)	
Storage Installation)	)	January 31, 2000

DECLARATION OF DR. MARVIN RESNIKOFF

I, Dr. Marvin Resnikoff, hereby declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the statements contained in State of Utah's Objections And Responses to Applicant's Fourth Set of Discovery Requests to Intervenors State of Utah and Confederated Tribes, dated January 31, 2000, relating to Utah Contention H, are true and correct to the best of my knowledge, information and belief.

Dated this 31st day of January, 2000.

By: 

Marvin Resnikoff, PhD,
Senior Associate
Radioactive Waste Management Associates

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

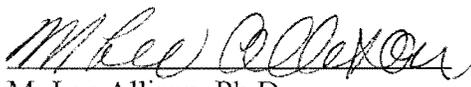
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	
	)	Docket No. 72-22-ISFSI
)	
PRIVATE FUEL STORAGE, LLC	)	ASLBP No. 97-732-02-ISFSI
(Independent Spent Fuel)	
Storage Installation)	)	January 31, 2000

DECLARATION OF M. LEE ALLISON, Ph.D.

I, M. Lee Allison, declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the statements contained in State of Utah's Objections And Responses to Applicant's Fourth Set of Discovery Requests to Intervenors State of Utah and Confederated Tribes, dated January 31, 2000, relating to Utah Contention L, limited to Interrogatory No. 2 and the associated document request; and State of Utah's Objections and Responses to Applicant's Fifth Set of Discovery Requests to Intervenors State of Utah and Confederated Tribes, dated January 31, 2000, relating to Utah Contention L, limited to part of Interrogatory No. 1, and Admission Requests Nos. 16, and 18 through 38, are true and correct to the best of my knowledge, information and belief.

Executed this 31st day of January, 2000

By: 
M. Lee Allison, Ph.D.
Director
Kansas Geological Survey

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

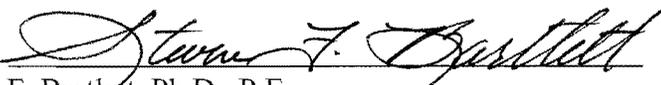
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	
	)	Docket No. 72-22-ISFSI
)	
PRIVATE FUEL STORAGE, LLC	)	ASLBP No. 97-732-02-ISFSI
(Independent Spent Fuel)	
Storage Installation)	)	January 31, 2000

DECLARATION OF DR. STEVEN F. BARTLETT

I, Dr. Steven F. Bartlett, hereby declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the statements contained in State of Utah's Objections and Responses to Applicant's Fourth Set of Discovery Requests to Intervenors State of Utah and Confederated Tribes, dated January 31, 2000 as they relate to responses for Utah Contention L, Interrogatory No. 1, part of Interrogatory No. 2, and Admission Requests Nos. 1-8; and State of Utah's Objections and Responses to Applicant's Fifth Set of Discovery Requests to Intervenors State of Utah and Confederated Tribes, dated January 31, 2000, as they relate to responses for Utah Contention L, part of Interrogatory No. 1, and Admission Requests Nos. 6-15, and 39-44; and corresponding responses to document requests for both sets, are true and correct to the best of my knowledge, information and belief.

Executed this 31st day of January 2000.

By: 
Steven F. Bartlett, Ph.D., P.E.
Research Project Manager, Research Division
Utah Department of Transportation

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

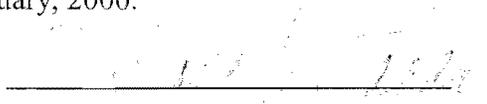
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	
	)	Docket No. 72-22-ISFSI
PRIVATE FUEL STORAGE, LLC)	
(Independent Spent Fuel	)	ASLBP No. 97-732-02-ISFSI
Storage Installation))	
	)	January 31, 2000

DECLARATION OF DR. FARHANG OSTADAN

I, Dr. Farhang Ostadan, hereby declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the statements contained in State of Utah's Objections And Responses to Applicant's Fourth Set of Discovery Requests to Intervenors State of Utah And Confederated Tribes, dated January 31, 2000, relating to Utah Contention GG, limited to soil dynamics and soil-structure interaction, are true and correct to the best of my knowledge, information and belief.

Executed this 31st day of January, 2000.

By: 

Farhang Ostadan, PhD
Consultant for Soil Dynamics and Soil Structure
Interaction

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)	)	January 31, 2000

DECLARATION OF DR. WALTER J. ARABASZ

I, Dr. Walter J. Arabasz, hereby declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the factual statements contained in State of Utah's Objections and Responses to Applicant's Fifth Set of Discovery Requests to Intervenors State of Utah and Confederated Tribes, dated January 31, 2000, are true and correct to the best of my knowledge, information and belief, as they relate to Interrogatory No. 1 (limited to Part B), Interrogatory No. 2, Admission Requests Nos. 1-5 and 17, and document requests relating thereto, for Utah Contention L. I have provided responses to these discovery requests in collaboration with my colleague, Dr. James C. Pechmann.

Dated this 31st day of January, 2000

By: Walter J. Arabasz

Walter J. Arabasz, PhD
Research Professor of Geology and Geophysics,
University of Utah;
Director, University of Utah Seismograph Stations

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)	)	January 31, 2000

DECLARATION OF DR. JAMES C. PECHMANN

I, Dr. James C. Pechmann, hereby declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the factual statements contained in State of Utah's Objections and Responses to Applicant's Fifth Set of Discovery Requests to Intervenor State of Utah and Confederated Tribes, dated January 31, 2000, are true and correct to the best of my knowledge, information and belief, as they relate to Interrogatory No. 1 (limited to Part B), Interrogatory No. 2, Admission Requests Nos. 1-5 and 17, and document requests relating thereto, for Utah Contention L. I have provided responses to these discovery requests in collaboration with my colleague, Dr. Walter J. Arabasz.

Dated this 31st day of January, 2000.

By: James C. Pechmann

James C. Pechmann, PhD
Research Associate Professor
of Geology and Geophysics,
University of Utah

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)	)	February 4, 2000

DECLARATION OF MICHAEL F. SHEEHAN, Ph.D.

I, Michael F. Sheehan, declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that I assisted the State of Utah in preparing the State's fourth set of discovery requests to the NRC Staff, and that the statements contained in State of Utah's February 4, 2000 Motion to Compel NRC Staff to Respond to State's Fourth Set of Discovery Requests, relating to Utah Contention E, are true and correct to the best of my knowledge, information and belief.

Executed this 4th day of February 2000.

By:



Michael F. Sheehan, Ph.D.

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)	)	February 7, 2000

DECLARATION OF MICHAEL F. SHEEHAN, Ph.D.

I, Michael F. Sheehan, declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that I assisted the State of Utah in preparing the State's ninth set of discovery requests to the Applicant, and that the statements contained in State of Utah's February 7, 2000 Motion to Compel Applicant to Respond to State's Ninth Set of Discovery Requests, relating to Utah Contention E, are true and correct to the best of my knowledge, information and belief.

Executed this 7th day of February 2000.

By:



Michael F. Sheehan, Ph.D.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

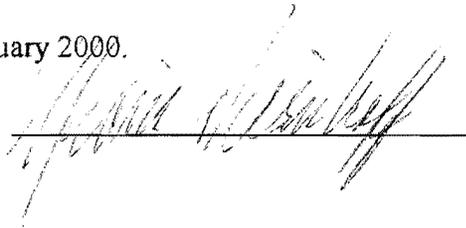
In the Matter of:)	
	)	Docket No. 72-22-ISFSI
PRIVATE FUEL STORAGE, LLC)	
(Independent Spent Fuel	)	ASLBP No. 97-732-02-ISFSI
Storage Installation))	
	)	February 8, 2000

DECLARATION OF MARVIN RESNIKOFF, Ph.D.

I, Dr. Marvin Resnikoff, declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that I am the State of Utah's expert witness on Contention H, and have assisted the State in conducting discovery on Contention H throughout this proceeding. The factual statements contained in State of Utah's February 8, 2000 Motion to Compel Deposition of NRC Staff Member are true and correct to the best of my knowledge, information and belief.

Executed this 8th day of February 2000.

By:



A handwritten signature in black ink, appearing to read "Marvin Resnikoff", is written over a horizontal line.

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)	)	February 11, 2000

**DECLARATION OF MICHAEL F. SHEEHAN, Ph.D. IN SUPPORT OF
STATE OF UTAH'S REPLY TO APPLICANT'S AND NRC STAFF'S
RESPONSES TO UTAH'S REQUEST FOR ADMISSION
OF LATE-FILED BASES FOR UTAH CONTENTION E**

I, MICHAEL F. SHEEHAN, Ph.D., hereby declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that I assisted the State of Utah in preparing the State's February 11, 2000 Reply to Applicant's and NRC Staff's Responses to Utah's Request for Admission of Late-filed Bases for Utah Contention E, and that the statements contained in the State's Reply are true and correct to the best of my knowledge, information and belief. In addition, I assisted the State in preparing the State's January 26, 2000 Request For Admission of Late-filed Bases for Utah Contention E.

Executed this February 11, 2000.



Michael F. Sheehan, Ph.D.

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)	)	February 16, 2000

**DECLARATION OF MICHAEL F. SHEEHAN, Ph.D. IN SUPPORT OF
STATE OF UTAH'S REPLY TO APPLICANT'S AND NRC STAFF'S
RESPONSES TO UTAH'S REQUEST FOR ADMISSION
OF LATE-FILED BASES FOR UTAH CONTENTION S**

I, MICHAEL F. SHEEHAN, Ph.D., hereby declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that I assisted the State of Utah in preparing the State's February 16, 2000 Reply to Applicant's and NRC Staff's Responses to Utah's Request for Admission of Late-filed Bases for Utah Contention S, and that the statements contained in the State's Reply are true and correct to the best of my knowledge, information and belief. In addition, I assisted the State in preparing the State's January 26, 2000 Request For Admission of Late-filed Bases for Utah Contention S.

Executed this February 16, 2000.



Michael F. Sheehan, Ph.D.