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Alice Stephenson, Project Manager  
Bureau of Land Management  
2370 South 2300 West  
Salt Lake City, UT 84119

April 21, 2000

J.O. No. 05996.02  
Letter No. S-O-63  
File No. M1.1

APPLICATION FOR ACCESS TO PERFORM A SUBSURFACE  
INVESTIGATION PROGRAM ON FEDERAL LANDS  
PRIVATE FUEL STORAGE FACILITY  
PRIVATE FUEL STORAGE L.L.C.

Reference: PFS Letter, Donnell to Berggren, Application For Transportation On Federal Lands,  
dated September 3, 1999

The above referenced letter transmitted the latest update to the right-of-way application for the utilization of BLM managed public lands for the Private Fuel Storage Facility (PFSF) Low Corridor rail line. The purpose of this letter is to submit an application for access to perform a subsurface investigation program along the proposed Low Corridor rail line.

The subsurface investigation program consists of performing cone penetration tests (CPT) and a limited number of borings along the proposed alignment. The purpose of the program is to determine soil properties such as strength and compressibility prior to the start of detailed design of the rail line.

The right-of-way application and supporting documentation are enclosed for your review. Private Fuel Storage (PFS) would like to mobilize the necessary contractors and start this work by May 8, 2000. PFS is interested in working closely with the BLM to obtain an expedited approval of this application. We are available to meet with you at your convenience to review this application and resolve any questions/comments you may have.

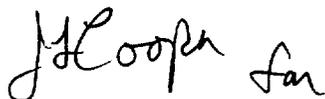
NMSSOI Public

**Stone & Webster Engineering Corporation**  
7677 East Berry Avenue, Englewood, Colorado 80111-2137  
Tel: 303-741-7700 Fax: 303-741-7670  
Telex: 289251 303-741-7671

Address all correspondence to P.O. Box 5406, Denver, Colorado 80217-5406

If you have any questions concerning this matter or need additional information please contact me at 303-741-7009.

Sincerely,

A handwritten signature in black ink that reads "JL Donnell". The signature is written in a cursive, somewhat stylized font.

John L. Donnell  
Project Director  
Private Fuel Storage L.L.C.

Enclosure

Copy to: (ROW application only)  
Mr. Mark Delligatti -1/1  
Mr. Jay Silberg -1/1  
Mr. John Parkyn -1/1  
Ms. Patricia Winmill -1/1  
Mr. Leon Bear -1/1  
Ms. Denise Chancellor -1/1  
Mr. David Allison -1/1  
Ms. Margaret Swimmer -1/1  
Mr. Glenn Carpenter -1/1  
Mr. Mike Nelson-1/1

**APPLICATION FOR TRANSPORTATION AND  
UTILITY SYSTEMS AND FACILITIES  
ON FEDERAL LANDS**

FORM APPROVED  
OMB NO. 1004-0060  
Expires: December 31, 2001

FOR AGENCY USE ONLY

**NOTE:** Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting.

Application Number

Date Filed

1. Name and address of applicant (*include zip code*)

Private Fuel Storage L.L.C.  
PO Box C4010  
La Crosse, WI 54602-4010

2. Name, title, and address of authorized agent if different from item 1 (*include zip code*)

John Donnell, Project Director  
PO Box 5406  
Denver, CO 80217-5406

3. TELEPHONE (*area code*)  
303-741-7009

Applicant Private Fuel Storage L.L.C.

Authorized Agent

4. As applicant are you? (*check one*)

- a.  Individual
- b.  Corporation\*
- c.  Partnership/Association\*
- d.  State Government/State Agency
- e.  Local Government
- f.  Federal Agency
- g.  Limited Liability Corporation

5. Specify what application is for: (*check one*)

- a.  New authorization
- b.  Renewing existing authorization No.
- c.  Amend existing authorization No.
- d.  Assign existing authorization No.
- e.  Existing use for which no authorization has been received \*
- f.  Other\*

\* If checked, provide details under item 7

\* If checked, complete supplement page

6. If an individual, or partnership are you a citizen(s) of the United States?  Yes  No

7. Project description (describe in detail): (a) Type of system or facility, (*e.g., canal, pipeline, road*); (b) related structures and facilities; (c) physical specifications (*Length, width, grading, etc.*); (d) term of years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (*Attach additional sheets, if additional space is needed.*)

**Note:** Information on construction, operation, maintenance, and termination of the Low Corridor rail line, as well as other information on Private Fuel Storage L.L.C. and the Private Fuel Storage Facility can be found in the Right-of-Application originally submitted to the BLM on August 28, 1998 and updated and resubmitted on September 3, 1999.

- (a) The temporary right of way (ROW) will be used to perform a subsurface investigation program along the proposed Low Corridor rail line. The rail line will start at the Union Pacific mainline at Low, Utah and proceed to the Skull Valley Indian Reservation across Public Lands administered by the BLM. The attached Figure 2.1-1 and drawings 0599602-DY-30 through 50 depict the route of the proposed right of way. See Environmental Report (ER) Section 3.2.1.5, "LOW CORRIDOR RAIL LINE," for a more detailed description of the proposed rail line.

The subsurface investigation program is described below:

General Description

The proposed subsurface investigation program for the Low Corridor rail line consists of performing cone penetration tests (CPT) and a limited number of borings along the proposed alignment. Approximately 85 CPTs will be performed along the proposed alignment of the rail line to characterize the strength and compressibility of the soils. In general the CPTs will be performed at approximately 2000-ft intervals along the alignment, however, the actual location will be adjusted by the field engineer to provide the necessary coverage at the rail siding area, areas of potential near-surface rock, areas where changes in geologic conditions occur, and the locations of culverts in the larger drainage areas. In general, the depth of CPT tests will be about 15 feet, with deeper probes required in areas proposed for the larger fills and cuts.

Also included is the drilling of approximately 21 borings to obtain soil samples at major fill and cut areas, as well as at areas that are likely to be representative of the weaker and more compressible soils encountered along the proposed alignment. The depths of the proposed borings vary between 25 ft and 100 ft, depending on the height of the fill or the depth of the cut. The proposed depth and Station location of each boring is shown on the attached Table entitled "Detailed Exploration Program, Low Corridor Rail Line, Skull Valley, Utah". However, as with the CPTs, the actual depth and location of the borings may be adjusted by the field engineer to suit field conditions and to ensure that a boring is not terminated in weak or compressible soils that could have an adverse impact on the rail line. Soil samples will be taken at depth intervals of ~5-ft, with two additional samples being obtained in the top 10 feet.

The CPT holes will be approximately 1-2" diameter while the boreholes will be approximately 3-4" diameter. All holes will be backfilled with in situ material or bentonite grout.

Type of Equipment

The cone penetration testing will be performed using a 25-ton track-mounted CPT rig. The CPT rig consists of an enclosed test area; mounted to a Nodwell 110 track-mounted carrier. The rig is used as a reaction to push against, using the hydraulic ram located at the center of mass of the rig.

The hydraulic ram has a pushing and pulling capacity of approximately 30 tons. The ram assembly and entire testing area are securely mounted to the chassis of the rig. The enclosed test area includes a triple wash decon sink with running water, 3 ballast tanks, heating and air-conditioning, computer with data acquisition system, cellular phone and fax and stainless steel storage cabinets and countertops.

The borings will be performed using a track-mounted or 4-wheel drive drill rig with all-terrain capability. The rig will have hollow-stem augering capability to depths of up to 100-ft.

One or two 4-wheel drive vehicles would be required as support vehicles for both the CPT and the boring rig. Access to the rail line corridor on the north end will be from the Interstate 80 exit at Low. From the south, access will be gained from the Skull Valley Reservation. If practical jeep trails and dirt roads could be used to access intermediate points along the rail line. This would minimize off road travel and potential ground disturbance. No vehicles will access public land when wet or saturated soil conditions leave ruts in excess of 4" causing degradation to the surface and possible watershed damage.

Personnel Required/Duration of Operation

Operation of each rig will require approximately 3 people. Total time in the field is expected to be approximately 6-8 weeks.

- (b) There are no related structures or facilities associated with the subsurface investigation program.
- (c) The ROW is 32 miles long (3 mi approximately parallel to I-80, 26 mi S, and 3 mi E to the PFSF). A temporary right of way, anticipated to be nominally 300 ft wide, is requested.
- (d) Term of use is expected to be 6-8 weeks.
- (e) The time of year for use of the right-of-way is expected to be May through July depending on the date when access is granted.
- (f) No products will be transported on the right-of-way. Access is requested for drill rig, CPT rig, and supporting vehicles. Soil samples from the boring operation will be removed for laboratory testing.
- (g) No construction activities will be performed as part of the subsurface investigation program.
- (h) All CPT and boring activities will be conducted within the requested 300-ft right-of-way.

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8. Attach a map covering the area and show location of project proposal See attached Figure 2.1-1 and drawings 0599602-DY-30 through 50 for a depiction of the route of the proposed right of way.

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9. State or Local government approval:  Attached  Applied for  Not Required

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10. Nonreturnable application fee:  Attached  Not required

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11. Does project cross international boundary or affected international waterways?  Yes  No (if "yes," indicate on map)

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12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested

PFS will prepare an Engineering Service Scope of Work (ESSOW) for the subsurface investigation program. The work will be awarded to contractors having demonstrated the technical capability to perform the work.

Technical Capability

PFS has personnel with the necessary geotechnical experience to prepare the ESSOWs and evaluate and award the work to the contractors.

Financial Capability

PFS has the funds necessary to prepare the ESSOWs and to pay for the contracted work.

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13a. Describe other reasonable alternative routes and modes considered.

The right of way (ROW) will be used to perform a subsurface investigation program along the proposed Low Corridor rail line. Alternatives to the proposed rail line route were discussed in the Right-of-Way Application for construction, operation, maintenance, and termination of the Low Corridor rail line originally submitted to the BLM on August 28, 1998 and updated and resubmitted on September 3, 1999.

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b. Why were these alternatives not selected?

Alternatives to the proposed rail line route were discussed in the Right-of-Way Application for construction, operation, maintenance, and termination of the Low Corridor rail line originally submitted to the BLM on August 28, 1998 and updated and resubmitted on September 3, 1999.

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c. Give explanation as to why it is necessary to cross Federal Lands.

Most of the land in the Skull Valley from the rail mainline to the Skull Valley Indian Reservation is public land administered by the BLM. No feasible rail line route can be constructed outside of the BLM boundaries.

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14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)

- NRC License Application for the PFSF Independent Spent Fuel Storage Installation (ISFSI)(Docket No. 72-22, dated 6/20/97)
- Right-of-Way Application for construction, operation, maintenance, and termination of the Low Corridor rail line originally submitted to the BLM on August 28, 1998 and updated and resubmitted on September 3, 1999.

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15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

A subsurface investigation program is required to determine soil properties such as strength and compressibility prior to the start of detailed design of the rail line.

- (a) The estimated cost of the subsurface investigation program is approximately \$263,000.
- (b) A subsurface investigation program is required to ensure proper design of the rail line. There is no justifiable alternative to performance of the program.
- (c) Not applicable to this application. Expected public benefits of the rail line are discussed in the Right-of-Way Application for construction, operation, maintenance, and termination of the Low Corridor rail line originally submitted to the BLM on August 28, 1998 and updated and resubmitted on September 3, 1999.

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16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

There are no demographic impacts along the entire rail corridor, since the route does not encounter any private ranches or public activities.

No adverse impacts on socioeconomic resources are anticipated. No short-term employment is anticipated since all work will be performed by contractors associated with the subsurface investigation program. These activities will utilize a local labor force commuting daily to the project area and will therefore not induce relocation of families and associated impacts on local government services.

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17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.

- (a) The overall impacts on air quality from construction and operation will be minor and limited to the general vicinity of the corridor. Any impacts will mainly be associated with emissions of fugitive dust from vehicle movement. No short-term or long-term impacts on the local meteorology/climatology will result from these activities.
- (b) Visual impacts will be minimal and temporary (6-8 weeks). The CPT and drill rig will be visible from Interstate 80 during portions of the program and from various jeep trails which cross the proposed rail line. Because of low recreational use of the area and the fact that there are no residences along the right-of-way, the impact is not expected to be significant.
- (c) There are no existing surface water bodies in the rail line corridor. Ground water is over 100 ft below the surface and the holes will be backfilled. Therefore, it is expected that the CPT and boring operation will not have any impact on hydrological resources.
- (d) No streams or bodies of water exist along the rail line route, except for dry arroyos. Therefore, the CPT and boring operation will not have any impact on streams or bodies of water.
- (e) Since the distance between the proposed rail line and residences along Skull Valley Road is 5 to 10 miles, noise from the CPT and boring operation is not expected to be audible and will have a minimal impact on valley residences and mountain wilderness study areas.
- (f) Within the right-of-way, the CPT and boring operation will disturb the surface of the land and some vegetation due to vehicle traffic. Efforts will be made to minimize this disturbance and to avoid greasewood and desert shrub/saltbrush habitat where possible. There are no unique vegetation habitat features in the areas proposed for the subsurface investigation program.

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18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

- (a) The level of impact to the local population of wildlife from the CPT and boring operation is expected to be minimal. CPT and boring activities will temporarily disturb the limited resident wildlife along the rail line. Larger mammals would temporarily avoid the area, but likely return following the completion of the program. Ecological surveys indicate that there are no threatened and endangered species located within the rail line corridor, except for transient, infrequent occurrences by Bald Eagles and Peregrine Falcons. These should not be adversely affected by CPT and boring activities, since these activities are temporary.
- (b) Due to the location, no effects to marine mammals will occur.

19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6901 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

Hazardous material as defined in item 19 above will not be produced, transported, or stored in the requested right-of-way as part of the subsurface investigation program.

20. Name all the Department(s)/Agency(ies) where this application is being filed.

Department of Interior / Bureau of Land Management

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant



Date

4/20/00

Title 18, U.S.C. Section 1001 and Title 43, U.S.C. Section 1212, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.