

the Division's Regional Manager (1979-1982) responsible for delivering fire protection services to three areas; and as Forest Stewardship Coordinator (1982-1995).

4. As Ecosystem Management Coordinator (1995 to present), my duties have included oversight of the fire management program and management of fire crews within the Division, which is responsible for fire protection services on 15 million acres of forest, range, and watershed lands within the State of Utah. I have taken part in numerous fire qualification and certification courses as part of my duties. In addition, since 1985 I have served on incident management teams which are used for fire suppression, and am qualified as operations section chief, responsible for directing fire suppression during particular incidents.

5. As part of my duties, I have reviewed the License Amendment Application dated August 28, 1998, submitted to the Nuclear Regulatory Commission by Private Fuel Storage, LLC, Applicant for an Independent Spent Fuel Storage Installation on the Skull Valley Goshute Reservation.

6. The License Amendment Application describes a new transportation route along which the Applicant proposes to transport spent

nuclear fuel by rail spur from the Union Pacific main rail line near Low, Utah to the Skull Valley Goshute Reservation. The spur is proposed to be constructed along the eastern edge of the Cedar Mountains for a distance of 26 miles.

7. In my opinion, based upon my experience and training, the License Amendment Application does not adequately address a number of fire hazard issues pertinent to this new transportation corridor (the Low rail corridor), because this area is prone to wildfires. There is a history of fires moving south to north through Skull Valley along the eastern side of the Cedar Mountains; such fires have been known to frequently cross over the Cedar Mountain from the west spreading into the western part of Skull Valley.

8. The vegetation in Skull Valley is primarily desert shrub and grass land. Fuels in this plant community dry in early June and ignite very easily. Vegetation includes native grasses, sage brush, Utah juniper, and introduced species such as June grass (cheat grass) and crested wheat grass. Due to frequent and recurring wild fire and a history of heavy grazing, the primary vegetation is June grass.

9. I am aware of only a few irrigated areas in Skull Valley, but they

are located nearby the ranches on the east side of the valley and close to the reservation. There are also some mudflats in the north end of the valley. Neither of these two types of areas are sufficient to interrupt a wildfire occurring in Skull Valley.

10. The activity associated with the construction and maintenance of the rail spur, such as welding, grinding of rail and the presence of fuel for the operation of machinery will present potential fire hazards.

11. Additionally, fires can result in sparks caused by friction or from the train exhaust stack, or from a hot brake shoe sheering off the locomotive or rail carriage wheels.

12. The rail spur may result in an increase in the occurrence of human caused fires. Rail lines typically have an access road alongside to facilitate maintenance. In this case additional or improved points of access to the west side of Skull Valley might be developed from the highway during construction of the rail line. Since the Low Corridor is proposed to cross primarily public land, the improved access on the west side is likely to result in more recreational use of the area, and thus, a greater potential for human caused fires.

13. Access to the west side of Skull Valley has always been poor for fire response vehicles and personnel. In this area responders typically use four-wheel drive vehicles and drive cross country to fight wild land fires. Hand crews may also be used but generally, heavy equipment is not used because of the damage it may cause to the fragile ecosystem. The four-wheel drive vehicles carry a water tank containing 200-300 gallons of water. The vehicles will have difficulty directly crossing the rail line. Even if the rail spur is constructed close to existing grade, fire fighting vehicles will be unable to climb up the vertical profile of the grade and rail, especially given the gross weight of the vehicle and water tank and also because the vehicle will be unable to get any traction from the ballasted rail bed.

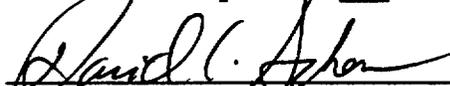
14. Responders to fires will be put at increased risk because of the potential for collisions with trains in the dense smoke of a range fire.

15. In my opinion, if fire fighters were aware that high level nuclear waste was within the perimeter of the fire, they would err on the side of caution and personal safety. Firefighters will be reluctant to pursue a wildfire in the vicinity of a train load of spent nuclear fuel casks. They may very likely back off until a subject area specialist ascertained that the hazardous cargo was

contained and fire fighter safety was guaranteed.

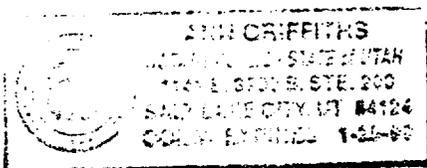
FURTHER AFFIANT SAYETH NOT.

DATED this September 29, 1998.



DAVID C. SCHEN

Voluntarily signed and sworn to before me this 29 day of September, 1998, by the signer, whose identity is personally known to me or was proven to me on satisfactory evidence.





NOTARY PUBLIC
Residing at: Murray UT

My Commission expires: 1-25-99