

**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) )

**DECLARATION OF JOHN DONNELL**

CITY OF ENGLEWOOD )  
 ) SS:  
STATE OF COLORADO )

John Donnell states as follows under penalties of perjury:

1. I am Project Director for Private Fuel Storage, L.L.C. ("PFS"). I report directly to John Parkyn, the Chairman of the Board of PFS. In my capacity as Project Director, I am responsible for the execution and integration of the legal and technical activities of the Private Fuel Storage Facility ("PFSF") project. I am providing this affidavit in support of a motion for partial summary disposition of Utah Contention B in the above-captioned proceeding. My professional and educational experience is summarized in the curriculum vitae attached as Exhibit 1 to this Declaration.

2. As Project Director of PFS, I am knowledgeable about PFS's plan for the operation of the Intermodal Transfer Point ("ITP"). The ITP would be an integral part of transporting the spent fuel to the PFSF under the second of two alternatives being considered by PFS for the transport of spent nuclear fuel to the PFSF.

3. The ITP will be located on a rail siding off of the Union Pacific rail line, 1.8 miles west of Rowley Junction, Utah near Interstate 80. The ITP is not on the same property as the PFSF, which would be located approximately 25 miles to the south on the Skull Valley Indian Reservation. At the ITP, the spent fuel would be transferred from rail car to heavy-haul truck.

4. As discussed in the PFSF Safety Analysis Report (SAR) in Section 4.5, the ITP will consist of rail sidings off of the Union Pacific main rail line, a 150 ton capacity gantry crane, and a heavy-haul tractor/trailer yard area. The gantry crane will be single-failure-proof, and housed in a weather enclosure. The ITP will be surrounded by a chain-link fence to provide industrial security.

5. The spent fuel will arrive at the ITP sealed inside an NRC-certified transportation cask and will remain so sealed for the entire time that it is at the ITP. Further, at all times while it is at the ITP, the sealed transportation cask will remain in shipment mode: loaded on its transportation cradle, in a horizontal configuration, with the impact limiters installed.

6. The sole operation performed at the ITP will be to transfer the sealed transportation cask from one mode of transportation, a rail car, to another mode of transportation, a heavy-haul truck trailer. The ITP will not be used as a spent fuel repackaging facility, staging facility, or buffer storage facility. The sole purpose of the transfer will be to facilitate completion of the cask shipment to the PFSF, by transferring the cask from one mode of transportation, railcar, to a subsequent mode of transportation, heavy-haul truck. The specific steps that would be involved in this transfer are described in PFS's answer to the State's Interrogatory No. 4 for Utah Contention B. See Exhibit 2 to this Declaration.

7. All operations at the ITP will be performed in compliance with applicable DOT and NRC regulations. The operations at the ITP involving the transportation cask will be in compliance with the transportation cask's NRC Certificate of Compliance and,

to the extent appropriate, all operations at the ITP will be in compliance with PFS's Commission-approved Part 71 quality assurance program.

8. All operations at the ITP will be performed in compliance with the physical protection requirements of 10 C.F.R. § 73.37, including the provision of escorts to maintain continuous surveillance of transportation casks at the ITP.

9. Receipt and inspection for acceptance of a shipment by PFS for the purposes of storage at the PFSF will be performed at the PFSF on the Skull Valley Indian Reservation, not at the ITP. See PFSF SAR Sections 5.1, 5.1.4.1, and Figures 5.1-1 and 5.1-3.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 11, 1999

  
John Donnell