

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)	)	April 6, 1999

---

**STATE OF UTAH'S FIFTH SUPPLEMENTAL RESPONSE  
TO APPLICANT'S FIRST SET OF FORMAL DISCOVERY REQUESTS**

The State of Utah supplements its previous responses to the Applicant's First Set of Formal Discovery Requests, specifically supplementing State's responses to General Interrogatory Nos. 3-5 regarding expected hearing witnesses. The State expects to call Lt. Col. Hugh L. Horstman (U.S. Air Force, ret.), whose resume is attached hereto, as expert witness for Utah Contention K - Inadequate Consideration of Credible Accidents.

Additional information follows:

<u>Name and Address:</u>	Lt. Col. Hugh L. Horstman (U.S. Air Force, ret.) 2346 E. Kayscreek Drive Layton, Utah 84040
<u>Profession:</u>	Pilot; adjunct professor
<u>Employer:</u>	Southwest Airlines; Embry Riddle Aeronautical University.
<u>Professional expertise:</u>	See attached Resume
<u>Educational, Scientific Experience, and Professional Qualifications:</u>	See attached Resume
<u>Publications in the last ten years:</u>	None available in the public domain

Testifying experience as expert in the last four years: None

Subject matter of testimony: Aircraft crashes

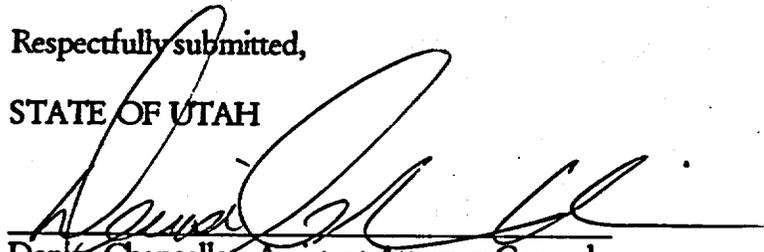
Documents reviewed and/or relied upon:

The documents reviewed and relied upon will include relevant portions of the Applicant's SAR, RAIs, Commitment Resolution letters and information; and relevant pleadings and discovery documents. In addition, Lt. Col. Horstman (U.S. Air Force, ret.) may review and rely upon documents produced by PFS as well as any new information that may come into the State's possession.

DATED this 6<sup>th</sup> day of April, 2000.

Respectfully submitted,

STATE OF UTAH



Denise Chancellor, Assistant Attorney General  
Fred G Nelson, Assistant Attorney General  
Diane Curran, Special Assistant Attorney General  
Connie Nakahara, Special Assistant Attorney General  
Daniel G. Moquin, Assistant Attorney General  
Attorneys for State of Utah  
Utah Attorney General's Office  
160 East 300 South, 5th Floor, P.O. Box 140873  
Salt Lake City, UT 84114-0873  
Telephone: (801) 366-0286, Fax: (801) 366-0292

CERTIFICATE OF SERVICE

I hereby certify that a copy of STATE OF UTAH'S FIFTH SUPPLEMENTAL RESPONSE TO APPLICANT'S FIRST SET OF FORMAL DISCOVERY REQUESTS was served on the persons listed below by electronic mail (unless otherwise noted) with conforming copies by United States mail first class, this 6<sup>th</sup> day of April, 2000:

Rulemaking & Adjudication Staff  
Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
Washington D.C. 20555  
E-mail: hearingdocket@nrc.gov  
*(original and two copies)*

G. Paul Bollwerk, III, Chairman  
Administrative Judge  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555  
E-Mail: gpb@nrc.gov

Dr. Jerry R. Kline  
Administrative Judge  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555  
E-Mail: jrk2@nrc.gov

Dr. Peter S. Lam  
Administrative Judge  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555  
E-Mail: psl@nrc.gov

Sherwin E. Turk, Esq.  
Catherine L. Marco, Esq.  
Office of the General Counsel  
Mail Stop - 0-15 B18  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555  
E-Mail: set@nrc.gov  
E-Mail: clm@nrc.gov  
E-Mail: pfscase@nrc.gov

Jay E. Silberg, Esq.  
Ernest L. Blake, Jr., Esq.  
Paul Gaukler, Esq.  
Shaw, Pittman, Potts & Trowbridge  
2300 N Street, N. W.  
Washington, DC 20037-8007  
E-Mail: Jay\_Silberg@shawpittman.com  
E-Mail: ernest\_blake@shawpittman.com  
E-Mail: paul\_gaukler@shawpittman.com

John Paul Kennedy, Sr., Esq.  
1385 Yale Avenue  
Salt Lake City, Utah 84105  
E-Mail: john@kennedys.org

Richard E. Condit, Esq.  
Land and Water Fund of the Rockies  
2260 Baseline Road, Suite 200  
Boulder, Colorado 80302  
E-Mail: rcondit@lawfund.org

Joro Walker, Esq.  
Land and Water Fund of the Rockies  
165 South Main, Suite 1  
Salt Lake City, Utah 84111  
E-Mail: joro61@inconnect.com

Danny Quintana, Esq.  
Danny Quintana & Associates, P.C.  
50 West Broadway, Fourth Floor  
Salt Lake City, Utah 84101  
E-Mail: quintana@xmission.com

James M. Cutchin  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
E-Mail: jmc3@nrc.gov  
(*electronic copy only*)

Office of the Commission Appellate  
Adjudication  
Mail Stop: 16-G-15 OWFN  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555  
(*United States mail only*)



Denise Chancellor  
Assistant Attorney General  
State of Utah

## Resume

**Lt. Col. Hugh L. Horstman**  
(U.S. Air Force, ret.)

2346 E. Kayscreek Dr.  
Layton, UT 84040  
801-444-9698  
Horstman\_HK@compuserve.com

**June 1999 – Present:** Pilot, Southwest Airlines.  
Pilots a Boeing 737 aircraft for Southwest Airlines. Responsible for the safe air travel of over 6,000 people per month throughout the United States.

**1996 - Present:** Adjunct Professor, Embry Riddle Aeronautical University.  
Instructor of master's degree candidate students in aviation.

**October 1997 – June 1999:** Deputy Commander, 388<sup>th</sup> Operations Group, Hill AFB UT.  
Commanded the F-16 Operations Group and 1,500 personnel. Responsible for all flying and maintenance of 60 F-16C aircraft and resources valued at \$4 billion, flying over 15,000 sorties per year. F-16 Instructor Pilot.

**Accomplishments:** Rated the number one Lieutenant Colonel in the entire Fighter Wing. Achieved the highest aircraft readiness rates in Air Combat Command at 21% less cost than any other wing. Directed 12 major aircraft deployments to Bosnia, Kosovo, and Iraq.

**June 1996 – September 1997:** Deputy Commander, 52<sup>nd</sup> Support Group,  
Spangdahlem AB, Germany.

Commanded the Support Group and over 2,000 personnel. Responsible for maintaining the entire base infrastructure and environment, including facilities, security forces, communications capabilities, disaster response, housing, fire fighting and rescue, retail sales and personnel services.

**Accomplishments:** Rated more productive than any other Lieutenant Colonel in the wing. Controlled and directed allocation of a \$75 million operations and maintenance budget for the base and provided oversight for \$240 million worth of ongoing projects resulting in the base winning the USAF 1997 Installation of the year award. Commanded the United States Air Forces in Europe first Air Expeditionary Squadron with both F-16 and F-15 aircraft.

**June 1995 – June 1996:** Chief, 52<sup>nd</sup> Fighter Wing Readiness, Spangdahlem AB,  
Germany.

Designed and evaluated all base level exercises in preparation for real world contingencies, NATO Tactical Evaluations, Operational Readiness Inspections, Nuclear Surety Inspections. Conducted routine natural disaster and emergency response exercises. F-16 instructor pilot.

**Accomplishments:** Rated in the top 1% of the Air Force. Orchestrated an evaluation of 25 squadrons, 5,000 personnel, 72 aircraft for NATO, resulting in the first ever "Outstanding" grade given by NATO for mobilization, preparation and combat employment. Personally selected to lead an operational inspection of Operation Provide Comfort after the US friendly fire helicopter shutdown.

**June 1993 - June 1995:** Assistant operations Officer, 52 Fighter Wing, Spangdahlem Air base Germany

Description: Maintained readiness of a combat fighter squadron. Planned, organized and managed the squadrons utilization of 4800 sorties and 6,000 flying hours per year. F-16C instructor pilot and wing supervisor of flying (mission was both conventional and nuclear weapons employment).

**May 1991 - May 1992:** Executive Officer to the Chief of Staff of Plans, Headquarters Air Combat Command, Langley AFB, VA.

Managed the administrative process for headquarters directorate - responsible for all long range strategic planning for Air Combat Command.

**August 1989 - May 1991:** Aircraft program manager, Headquarters Tactical Air Command, Langley AFB, VA.

Developed relocation plans consistent with base closures and procured funding for all aircraft modifications.

**September 1985 - August 1989:** Flight Commander, 20th Fighter Wing, RAF Upper Heyford United Kingdom.

Responsible for leadership and training 14 of combat crews (pilots and navigators), F-111 instructor pilot (mission was both conventional and nuclear weapons employment).

### **Flying History**

B-52: Over 1,000 hours (1979 - 1983) Navigator and Instructor Navigator

F-111: Over 1,000 hours (1985 - 1989) Instructor Pilot

F-16: Over 800 hours (1992 - 1999) Instructor Pilot

Miscellaneous aircraft: 700 hours as pilot in command

### **Education**

August 1992 - June 1993, Air Command and Staff College, Montgomery, Alabama (diploma earned). Field of study: military history, leadership and management.

1982, Master of Arts, business, Central Michigan University.

1978, Bachelor of Science, business finance, University of Southern California.

Richard E. Condit, Esq.  
Land and Water Fund of the Rockies  
2260 Baseline Road, Suite 200  
Boulder, Colorado 80302  
E-Mail: rcondit@lawfund.org

Joro Walker, Esq.  
Land and Water Fund of the Rockies  
165 South Main, Suite 1  
Salt Lake City, Utah 84111  
E-Mail: joro61@inconnect.com

Danny Quintana, Esq.  
Danny Quintana & Associates, P.C.  
50 West Broadway, Fourth Floor  
Salt Lake City, Utah 84101  
E-Mail: quintana@xmission.com

James M. Cutchin  
Atomic Safety and Licensing Board  
Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
E-Mail: jmc3@nrc.gov  
(*electronic copy only*)

Office of the Commission Appellate  
Adjudication  
Mail Stop: 16-G-15 OWFN  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555  
(*United States mail only*)



Denise Chancellor  
Assistant Attorney General  
State of Utah