April 2, 1999

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)	)	ASLBP No. 97-732-02-ISFSI

APPLICANT'S FIRST SET OF FORMAL DISCOVERY REQUESTS TO INTERVENORS STATE OF UTAH AND CONFEDERATED TRIBES

Applicant Private Fuel Storage L.L.C. ("Applicant" or "PFS") hereby makes the following formal discovery requests of the State of Utah and the Confederated Tribes.

General Definitions and Instructions

1. The term "document" means the complete original or a true, correct, and complete copy and any non-identical copies, whether different by reason of any notation or otherwise, of any written or graphic matter of any kind, no matter how produced, recorded, stored, or reproduced (including electronic, mechanical or electrical records or representation of any kind) including, but not limited to, any writing, letter, telegram, meeting minute or note, memorandum, statement, book, record, survey, map, study, handwritten note, working paper, chart, tabulation, graph, tape, data sheet, data processing card, printout, microfilm or microfiche, index, diary entry, note of interview

or communication, or any data compilation including all drafts of all such documents. The phrase "data compilation" includes, but is not limited to, any material stored on or accessible through a computer or other information storage or retrieval system, including videotapes and tape recordings.

2. The "State of Utah" means any branch, department, agency, division or other organized entity, of the State of Utah, as well as any of its officials, directors, agents, employees, representatives, and its attorneys.

3. "Confederated Tribes" means the Confederated Tribes of the Goshute Reservation, any of its officials, directors, agents, employees, representatives, and its attorneys.

4. "Consultant" means any person who provides professional, scientific, or technical input, advice and/or opinion to the State or Confederated Tribes whether that person is employed specifically for this case or is a regular State or Confederated Tribes employee or official.

I. GENERAL INTERROGATORIES

Pursuant to agreement between the State and PFS, these general interrogatories apply to all Utah admitted contentions, are in addition to the ten interrogatories per contention allowed by the Board's Order dated April 22, 1998 (LPB-98-7), and are continuing in accordance with 10 CFR § 2.740(e).

GENERAL INTERROGATORY NO. 1. State the name, business address, and job title of each person who was consulted and/or who supplied information for responding to interrogatories, requests for admissions and requests for the production of documents. Specifically note for which interrogatories, requests for admissions and requests for production each such person was consulted and/or supplied information.

If the information or opinions of anyone who was consulted in connection with your response to an interrogatory or request for admission differs from your written answer to the discovery request, please describe in detail the differing information or opinions, and indicate why such differing information or opinions are not your official position as expressed in your written answer to the request.

GENERAL INTERROGATORY NO. 2. To the extent that the State has not previously produced documents relevant to any Utah admitted contention, identify all such documents not previously produced. The State may respond to this request by notifying PFS that relevant documents are available for its review and/or copying.

GENERAL INTERROGATORY NO. 3. For each admitted Utah contention, give the name, address, profession, employer, area of professional expertise, and educational and scientific experience of each person whom the State expects to call as a witness at the hearing. For purposes of answering this interrogatory, the educational and scientific experience of expected witnesses may be provided by a resume of the person attached to the response.

GENERAL INTERROGATORY NO. 4. For each admitted Utah contention, identify the qualifications of each expert witness whom the State expects to call at the hearing, including but not limited to a list of all publications authored by the witness within the preceding ten years and a listing of any other cases in which the witness has testified as an expert at a trial, hearing or by deposition within the preceding four years.

GENERAL INTERROGATORY NO. 5. For each admitted Utah Contention, describe the subject matter on which each of the witnesses is expected to testify at the hearing, describe the facts and opinions to which each witness is expected to testify, including a summary of the grounds for each opinion, and identify the documents (including all pertinent pages or parts thereof), data or other information which each witness has reviewed and considered, or is expected to consider or to rely on for his or her testimony.

II. BOARD CONTENTION 1 (UTAH B) LICENSE NEEDED FOR INTERMODAL TRANSFER FACILITY

A. Document Requests – Utah B

The Applicant requests the State of Utah and/or the Confederated Tribes to produce the following documents directly or indirectly within its possession, custody or control to the extent not previously produced by the State during informal discovery:

1. All documents related to the claims raised by the State, as admitted by the Board, in Contention B.

2. All documents, data or other information reviewed, considered or relied upon by Marvin Resnikoff or any other expert or consultant assisting the State with respect to Utah Contention B.

III. BOARD CONTENTION 2 (UTAH C) FAILURE TO DEMONSTRATE COMPLIANCE WITH NRC DOSE LIMITS

A. Document Requests – Utah C

The Applicant requests the State of Utah to produce the following documents directly or indirectly within its possession, custody or control to the extent not previously produced by the State during informal discovery:

1. All documents related to the claims raised by the State, as admitted by the Board, in Contention C.

2. All documents, data and information reviewed, considered or relied upon by Marvin Resnikoff or any other expert or consultant assisting the State with respect to Utah Contention C.

IV. Board Contention 4 (Utah F & P) – Training and Certification

A. Interrogatories – Utah F & P

1. Identify and fully explain each respect in which the State contends that PFS has not "explicitly defined a training and certification program" as required by the NRC regulations.

2. Identify and fully explain each respect in which the State contends that PFS has not shown that its personnel qualifications are sufficient to assure that the PFS ISFSI will be operated safely.

3. Identify and fully explain each respect in which the State contends that the qualifications of the PFSF General Manager and the PFSF Operators will be inadequate.

4. Identify and fully explain each respect in which the State contends that PFS has not laid out its instruction course or training program in sufficient detail.

5. Identify and fully explain each respect in which the State contends that PFS's testing and certification program is inadequate.

6. Identify and fully explain each respect in which the State contends that PFS's certifications standards are inadequate.

7. Identify and fully explain each respect in which the State contends that PFS has not adequately described a training program that ensures that all PFS personnel who will direct activities or work with radioactive materials will be capable of evaluating the significance of radiation doses.

8. Identify each regulatory basis on which the State bases its claims as set forth above.

B. Document Requests – Utah F & P

The Applicant requests the State of Utah to produce the following documents directly or indirectly within its possession, custody or control to the extent not previously produced by the State during informal discovery:

1. All documents related to the claims raised by the State, as admitted by the Board, in Contentions F and P.

2. All documents, data or other information reviewed, considered or relied upon by Marvin Resnikoff or any other expert or consultant assisting the State with respect to Utah Contentions F and P.

V. Board Contention 5 (Utah G) – Quality Assurance

A. Interrogatories – Utah G

1. Identify and fully explain each respect in which the State claims that the QA program "is completely inadequate to provide sufficient detail to enable staff to determine its adequacy."

2. Identify and fully explain each respect in which the State claims that the QA program "fails to demonstrate the independence of the QA organization."

3. Identify each regulatory basis on which the State bases its claims as set forth above.

B. Document Requests – Utah G

The Applicant requests the State of Utah to produce the following documents directly or indirectly within its possession, custody or control to the extent not previously produced by the State during informal discovery:

1. All documents related to the claims raised by the State, as admitted by the Board, in Contention G.

2. All documents, data or other information reviewed, considered or relied upon by Marvin Resnikoff or any other expert or consultant assisting the State with respect to Utah Contention G.

VI. Board Contention 5 (Utah K/Confederated Tribes B)

These requests are directed to both the State and Confederated Tribes as appropriate. The term "no significant hazard" is defined to mean that the potential impact of the activity or material on the PFS ISFSI and/or Intermodal Transfer Point ("ITP) located 1.8 miles west of Rowley Junction would not to be a licensing issue with respect to the PFS ISFSI and/or the ITP. The term "significant hazard" in turn is defined to mean that the potential impact of the activity or material on the PFS ISFSI and/or the ITP would be a licensing issue with respect to the PFS ISFSI and/or the ITP.

A. Requests for Admissions – Utah K/Confederated Tribes B

Tekoi Rocket Engine Test Facility

1. Do you admit that activities or materials at, or emanating from, the Tekoi Rocket Engine Test facility, other than potential rocket engine explosions or rocket engines potentially escaping their moorings while being fired, would pose no significant hazard to the PFS ISFSI or the ITP?

2. Do you admit that potential explosions of the rocket engines tested at the Tekoi Rocket Engine Test facility, assuming that the rocket engines did not escape their moorings while being fired, would pose no significant hazard to the PFS ISFSI or the ITP?

3. Do you admit that activities or materials at, or emanating from, the Tekoi Rocket Engine Test facility would pose no significant hazard to the PFS ISFSI or the ITP?

Dugway Proving Ground

4. Do you admit that the storage and/or disposal of chemical and other ordnance, including the open burning and open detonation of such ordnance, conducted at Dugway Proving Ground would pose no significant hazard to the PFS ISFSI or the ITP?

5. . Do you admit that the testing, handling, analysis, and disposal of biological agents conducted at Dugway Proving Ground would pose no significant hazard to the PFS ISFSI or the ITP?

6. Do you admit that the testing, handling, analysis, and disposal of chemical and other non-biological agents conducted at Dugway Proving Ground would pose no significant hazard to the PFS ISFSI or the ITP?

7. Do you admit that the weapons and munitions testing conducted at Dugway Proving Ground, other than testing of air-launched or aircraft-delivered weapons or munitions, would pose no significant hazard to the PFS ISFSI or the ITP?

8. Do you admit that the testing of air-launched or aircraft-delivered weapons or munitions, to the extent conducted at Dugway Proving Ground, would pose no significant hazard to the PFS ISFSI or the ITP?

9. Do you admit that training exercises conducted by military units (active, National Guard, or reserve) at Dugway Proving Ground, except for the portions of the training or exercises that may involve military aircraft flying over, taking off from, or landing at Dugway Proving Ground, would pose no significant hazard to the PFS ISFSI or the ITP?

10. Do you admit that the firing of live munitions during training exercises conducted by military units (active, National Guard, or reserve) at Dugway Proving Ground is directed to the South and/or the West and would pose no significant hazard to the PFS ISFSI or the ITP?

11. Do you admit that military aircraft flying over, taking off from, or landing at Dugway Proving Ground would pose no significant hazard to the PFS ISFSI or the ITP?

12. Do you admit that military aircraft flying over, taking off from, or landing at Dugway Proving Ground, other than aircraft carrying missiles, bombs, or rockets with live warheads, would pose no significant hazard to the PFS ISFSI or the ITP?

13. Do you admit that the detonation of hung bombs at Dugway Proving Ground (done pursuant to an emergency RCRA permit issued by the State) would pose no significant hazard to the PFS ISFSI or the ITP?

14. Do you admit that – as set forth at page 4-100 of the FEIS for the X-33 space plane – the planned flight paths for the X-33 do not cross over Skull Valley?

15.. Do you admit that – as set forth at page 4-87 of the FEIS for the X-33 space plane – the X-33 will make no more than approximately seven landings at Michael Army Airfield over the course of the program?

16. Do you admit that – as set forth at page 4-101 of the FEIS for the X-33 space plane – the seven flights for the X-33 to Michael Army Airfield are scheduled to be completed by mid-1999.

17. Do you admit that the operations of the X-33 aircraft would pose no significant hazard to the PFS ISFSI or the ITP?

18. Do you admit that activities or materials at, or emanating from, Dugway Proving Ground would pose no significant hazard to the PFS ISFSI or the ITP?

Hill Air Force Base and the Utah Test and Training Range

19. Do you admit that activities or materials at, or emanating from, Hill Air Force Base and the North part of the Utah Test and Training Range ("UTTR"), other than military aircraft from Hill Air Force Base flying to or from to the UTTR South range, would pose no significant hazard to the PFS ISFSI or the ITP?

20. Do you admit that military aircraft flying to, from or over the UTTR South range would pose no significant hazard to the PFS ISFSI or the ITP?

21. Do you admit that military aircraft flying to, from, or over the UTTR South range, other than aircraft carrying missiles, bombs, or rockets with live warheads, would pose no significant hazard to the PFS ISFSI or the ITP?

22. Do you admit that the testing and training involving military aircraft bombing, cannon, gunnery and related activities that occur at the UTTR South range would pose no significant hazard to the PFS ISFSI or the ITP?

23. Do you admit that military aircraft engaged in testing and/or training at the UTTR South range with hung bombs would proceed directly from the test and training range to Michael Army Airfield on Dugway, over Military reservation, without flying over Skull Valley?

24. Do you admit that activities or materials at, or emanating from, Hill Air Force Base and the UTTR would pose no significant hazard to the PFS ISFSI or the ITP?

Salt Lake City International Airport

25. Do you admit that activities at or emanating from Salt Lake City International Airport, other than aircraft flying to or from the airport, would pose no significant hazard to the PFS ISFSI or the ITP?

26. Do you admit that the PFS ISFSI site is more than five miles from the edge of the nearest federal airway, which runs north to south on the east side of the Stansbury Mountains?

27. Do you admit that aircraft flying to or from Salt Lake City International Airport, including commercial aviation aircraft and general aviation aircraft, would pose no significant hazard to the PFS ISFSI?

28. Do you admit that activities at or emanating from Salt Lake City International Airport would pose no significant hazard to the PFS ISFSI or the ITP?

Laidlaw Aptus Hazardous Waste Incinerator

29. Do you admit that the transportation of hazardous materials (i.e., waste) to or from the Laidlaw Aptus hazardous waste incinerator would pose no significant hazard to the ITP?

Envirocare Low-Level Radioactive and Mixed Waste Landfill

30. Do you admit that the transportation of hazardous materials (i.e., waste) to or from the Envirocare low-level radioactive waste and mixed waste landfill would pose no significant hazard to the ITP?

Laidlaw Clive Hazardous Waste Incinerator

31. Do you admit that the transportation of hazardous materials (i.e., waste) to or from the Laidlaw Clive hazardous waste incinerator would pose no significant hazard to the ITP?

Laidlaw Grassy Mountain Hazardous Waste Landfill

32. Do you admit that the transportation of hazardous materials (i.e., waste) to or from the Laidlaw Grassy Mountain hazardous waste landfill would pose no significant hazard to the ITP?

Wildfires

33. Do you admit that maximum temperature that wildfires could reach in the vicinity of the PFS ISFSI or the ITP would be less than 1475 degrees F?

34. Do you admit that the time for which the 90 acre restricted area at the PFS ISFSI would be subject to temperatures resulting from a wildfire in excess of 500 degrees F (assuming no fire break) would be less than fifteen minutes?

35. Do you admit that the time for which the ITP would be subject to temperatures resulting from a wildfire in excess of 500 degrees F (assuming no fire break) would be less than fifteen minutes?

36. Do you admit that a fire break of 100 feet or more would protect non-combustible equipment and/or structures from heat damage resulting from a wildfire?

37. Do you admit that such a fire break exists to protect the restricted area of the PFS ISFSI where the storage casks and the canister transfer building are located?

38. Do you admit that wildfires pose no significant hazard to the PFS ISFSI or the ITP?

B. Interrogatories – Utah K/Confederated Tribes B

1. To the extent the State does not admit admissions 3, 18, 24, and 28 above, identify the specific activities or materials (specific type and quantity) at, or emanating from, the Tekoi Rocket Engine Test facility, Dugway Proving Ground, Salt Lake City National Airport, Hill Air Force Base and the Utah Test and Training Range that the State claims would pose a significant hazard to the PFS ISFSI and/or the ITP.

2. To the extent the State does not admit admissions 29-32 above, identity the transportation of hazardous materials (i.e., specific quantities and type of waste) to or from the Laidlaw Aptus hazardous waste incinerator, the Envirocare low-level radioactive and mixed waste landfill, the Laidlaw Clive Hazardous Waste Facility, and the Laidlaw Grassy Mountain hazardous waste landfill that the State claims would pose a significant hazard to the ITP.

3. Identify and fully explain the scientific, technical, statistical and/or other bases on which the State claims that each of the activities and/or materials identified in response to interrogatories 1 and 2 above would pose a significant hazard to the PFS ISFSI and/or ITP.

4. To the extent the State does not admit admissions 29-32 above, identify any and all specific accidents that have occurred involving the transportation of hazardous materials to or from the Laidlaw Aptus hazardous waste incinerator, the Envirocare low-level radioactive and mixed waste landfill, the Laidlaw Clive Hazardous Waste Facility, and the Laidlaw Grassy Mountain hazardous waste landfill which the State claims would have posed a significant hazard to the ITP had they occurred at or near the ITP.

5. To the extent the State does not admit admissions 3, 18, 24, and 28 above, identify any and all specific accidents involving activities or materials at, or emanating from, the Tekoi Rocket Engine Test facility, Dugway Proving Ground, Salt Lake City National Airport, Hill Air Force Base and the Utah Test and Training Range that the State claims would have posed a significant hazard to the PFS ISFSI or the ITP had they been constructed and operating at the time of the accident.

6. Identify and fully explain the scientific, technical and/or other bases on which the State claims that each of the accidents identified in response to interrogatories 4 and 5 above would have posed a significant hazard to the PFS ISFSI or the ITP.

7. To the extent the State does not admit admission 38 above, identify and fully explain the scientific, technical, statistical and/or other bases on which the State and/or the Confederated Tribes claim that wildfires would pose a significant hazard to spent nuclear fuel in storage or transportation casks at the PFS ISFSI and/or the ITP or to any other aspect of the PFS ISFSI and/or the ITP.

8. Identify those persons knowledgeable of the bases set forth in response to interrogatories 3, 6 and 7 above.

C. Document Requests – Utah K/Confederated Tribes B

The Applicant requests the State of Utah and/or Confederated Tribes to produce the following documents directly or indirectly within their possession, custody or control to the extent not previously produced during informal discovery:

1. To the extent the State does not admit admissions 3, 18, 24, 28-32 and 38 above, all documents related to the claims, as admitted by the Board, raised by the State and/or the Confederated Tribes in Utah K/Confederated Tribes B.

2. To the extent the State does not admit admissions 3, 18, 24, 28-32 and 38 above, all documents, data or other information reviewed, considered or relied

upon by Marvin Resnikoff or any other expert or consultant assisting the State/Confederated Tribes with respect to Utah K/Confederated Tribes B.

3. To the extent the State does not admit admissions 3, 18, 24, and 28 above, all calculations, studies, evaluations, analyses or other documents relating to risks to persons or property (including the proposed PFS ISFSI or the ITP) from activities or materials at, or emanating from, the Tekoi Rocket Engine Test facility, Dugway Proving Ground, Salt Lake City National Airport, Hill Air Force Base and the Utah Test and Training Range.

4. To the extent the State does not admit admissions 29-32 above, all calculations, studies, evaluations, analyses or other documents relating to risks to persons or property (including the proposed ITP) from the transportation of hazardous materials to or from the Laidlaw Aptus hazardous waste incinerator, the Envirocare low-level radioactive and mixed waste landfill, the Laidlaw Clive Hazardous Waste Facility, and the Laidlaw Grassy Mountain hazardous waste landfill.

5. To the extent the State does not admit admissions 3, 18, 24, and 28 above, all documents relating to specific accidents that have occurred involving activities or materials at, or emanating from, the Tekoi Rocket Engine Test facility, Dugway Proving Ground, Salt Lake City National Airport, Hill Air Force Base and the Utah Test and Training Range which the State claims would have posed a significant hazard to the PFS ISFSI or the ITP had they been constructed and operating at the time of the accident.

6. To the extent the State does not admit admissions 3, 18, 24, and 28 above, all documents relating to potential accidents that the State claims could occur involving activities or materials at, or emanating from, the Tekoi Rocket Engine Test facility, Dugway Proving Ground, Salt Lake City National Airport, Hill Air Force Base and the Utah Test and Training Range that the State claims would pose a significant hazard to the PFS ISFSI or the ITP.

7. To the extent the State does not admit admissions 29-32 above, all documents relating to specific accidents that have occurred involving the transportation of hazardous materials to or from the Laidlaw Aptus hazardous waste incinerator, the Envirocare low-level radioactive and mixed waste landfill, the Laidlaw Clive Hazardous Waste Facility, and the Laidlaw Grassy Mountain hazardous waste landfill that the State claims would have posed a significant hazard to the ITP had they occurred at or near the ITP.

8. To the extent the State does not admit admissions 29-32 above, all documents relating to specific accidents that the State claims could occur involving the

transportation of hazardous materials to or from the Laidlaw Aptus hazardous waste incinerator, the Envirocare low-level radioactive and mixed waste landfill, the Laidlaw Clive Hazardous Waste Facility, and the Laidlaw Grassy Mountain hazardous waste landfill that the State claims would pose a significant hazard to the ITP if they were to occur at or near the ITP.

9. To the extent the State does not admit admission 3 above, all documents relating to the alleged incident of a rocket motor escaping the test harness at the previous Alliant test facility at Magna, and all documents relating to any other accidents occurring during the testing of rocket motors at that facility or any other similar facility, that the State claims could pose a significant hazard to the PFS ISFSI or the ITP if they were to occur at the Tekoi Rocket Test Engine facility.

10. To the extent the State does not admit admission 38 above, all documents related to the large wildfire(s) that the State asserts burned throughout Skull Valley approximately 20 years ago.

VII. BOARD CONTENTION 9 (UTAH M) PROBABLE MAXIMUM FLOOD

A. Requests for Admissions – Utah M

1. Do you admit that the 270 square mile drainage area used to calculate flooding in PFS's response to RAI Question 2-3 is an appropriate drainage area for calculating the potential for flooding at the PFS ISFSI?

2. Do you admit that the Utah Division of Water Resources calculated the 100 Year Flood elevation in the area of the PFS site (calculations of David Cole, UT-05585) to be 4451.55 ft.?

3. Do you admit that the Utah Division of Water Resources calculated the Probable Maximum Flood elevation in the region of the PFS site (calculations of David Cole, UT-05582) to be 4455.2 ft.?

4. Do you admit that the lowest elevation of the PFS site as identified in the PFS Environmental Report at 2.5-3 and Response to RAI Question 2-3 at 3 is 4460 ft.?

5. Do you admit that the Utah Division of Water Resources calculated the time of concentration of the flood waters using an empirical formula for "Drainage Area for Mountain Watershed[s] in Utah" (calculations of David Cole, UT-05564)?

6. Do you admit that use of this empirical formula results in higher flood volume, and therefore flood elevation, than more commonly used formulas such as the Corps of Engineers equation or the Hathaway equation?

7. Do you admit that the mountain watersheds from which this formula was derived have different characteristics than Skull Valley?

B. Interrogatories – Utah Contention M

1. Identify and fully explain each respect in which the State claims that PFS failed "to accurately estimate the Probable Maximum Flood (PMF) as required by 10 CFR § 72.98" or the 100 Year Flood for the PFS ISFSI, taking into account PFS's response to RAI Question 2-3 as supplemented.

2. Identify and fully explain each respect in which the State claims that the facility's design does not adequately protect the access road or the site against adverse consequences from potential flooding as calculated by the State.

3. Identify and fully explain each respect in which the State claims that the access road may be adversely impacted by potential flooding as calculated by the State and any resulting adverse safety consequences to the PFS ISFSI.

4. Identify and fully explain each respect in which the State claims that "consequences important to safety may occur because of flooding or an inadequate berm construction and location," based on potential flooding as calculated by the State.

5. Identify and fully explain each other respect in which the State claims that the PFS ISFSI site may be adversely impacted by potential flooding as calculated by the State and the resulting adverse safety consequences of such impacts.

6. If the State continues to claim an adverse impact from potential flooding as calculated by the State on the "operation, maintenance of the ISFSI," the "washing out" of the access road, the "translation motion of the storage pad and building foundations," and the "transport [of] onsite chemical and radiological contaminants to offsite soils and ground and surface waters," identify and fully explain the scientific, technical, engineering and/or other bases on which the State bases these claims and any other claims of adverse impact and/or safety consequences identified in response to interrogatories 3 through 5 above.

7. Identify any peer review or use outside of the Utah Division of Water Resources of the empirical formula for "Drainage Area[s] for Mountain Watersheds in Utah" used by the State to calculate the time of concentration in its flood calculation for the PFS ISFSI site.

8. Identify any use of this empirical formula to calculate the flooding of valleys other than that occurring within a mountain watershed.

C. **Document Requests – Utah M**

The Applicant requests the State of Utah to produce the following documents directly or indirectly within its possession, custody or control to the extent not previously produced by the State during informal discovery:

1. All documents related to the claims raised by the State in Contention M.

2. All documents and calculations relating to flooding within Skull Valley and/or at the PFS ISFSI site and access road.

3. All documents relating to the State's claims of adverse impacts and/or safety consequences due to flooding of the PFS ISFSI site and/or access road, including but not limited to the States' claim of adverse impact on the "operation, maintenance of the ISFSI," the "washing out" of the access road, the "translation motion of the storage pad and building foundations," and the "transport [of] onsite chemical and radiological contaminants to offsite soils and ground and surface waters."

4. All documents relating to conditions that have occurred in Skull Valley in much wetter than average years, such as the winter and spring of 1983-84, referred to in paragraph 7 of Mr. Cole's affidavit filed in support of Utah M.

5. All documents identifying or documenting the elevation of flooding that has occurred in the Skull Valley region.

6. All documents and supporting data, including the characteristics of the watersheds, relating to the development and calculation of the empirical formula for the time of concentration in "Drainage Area[s] for Mountain Watersheds in Utah."

7. All documents in which this empirical formula has been used to calculate flooding other than that occurring within a mountain watershed.

8. All documents in which this empirical formula has been used to calculate flooding in valleys with characteristics similar to Skull Valley.

9. All documents, data or other information reviewed, considered or relied upon by Mr. Cole or any other expert or consultant assisting the State with respect to Contention M.

10. All documents related to the State's review and evaluation of potential flooding at other facilities located within Tooele County, such as RCRA facilities at Dugway Proving Ground and the Tooele County Chemical Demilitarization Facility, the Envirocare facility, and other similar such facilities in Tooele County.

VIII. BOARD CONTENTION 9 (UTAH N) FLOODING

A. Requests for Admission – Utah N

1. Do you admit that the elevation of the new location of the Intermodal Transfer Point ("ITP") 1.8 miles to the west of Rowley Junction is no lower than that of the previous location of the ITP at Rowley Junction?

2. Do you admit that the elevation of the ITP at its new location is at least seven feet higher than the Great Salt Lake's historic high?

B. Interrogatories – Utah N

1. Specify the height of flooding of the Great Salt Lake at the new location of the ITP that the State claims could result "in very wet years."

2. Specify the height of the "water waves generated by wind" and the resulting "swamping" by such water waves of the ITP at its new location that the State claims could result "in very wet years."

3. Specify the height of flooding and/or "water waves . . . generated by earthquake or landslide events," and the resulting swamping by such water waves, of the ITP at its new location that the State claims could result from earthquake or landslide events.

4. Identify and fully explain the scientific, technical, statistical and any other bases for the flooding and/or swamping by water waves of the ITP, as set forth in response to interrogatories 1, 2 and 3 above, fully accounting for any difference between the elevation of the ITP and the Great Salt Lake's historic high.

5. Identify and fully explain any adverse impacts and/or safety consequences that the State claims would occur with respect to the ITP as a result of the flooding and/or swamping by water waves of the ITP site, as set forth in response

to interrogatories 1, 2 and 3 above, fully accounting for any difference between the elevation of the ITP and the Great Salt Lake's historic high.

6. Identify and fully explain the scientific, technical, engineering and any other bases for the adverse impacts and/or safety consequences set forth in response to interrogatory 5 above, fully accounting for any difference between the elevation of the ITP and the Great Salt Lake's historic high.

C. Document Requests – Utah N

The Applicant requests the State of Utah to produce the following documents directly or indirectly within its possession, custody or control to the extent not previously produced by the State during informal discovery:

1. All documents related to the claims raised by the State in Utah N.

2. All documents and calculations relating to potential flooding at the ITP, including swamping by water waves generated by wind, earthquake or landslide.

3. All documents identifying or documenting the height of water waves generated by wind and the resulting flooding along the shores of the Great Salt Lake.

4. All documents relied upon by the State to support the proposition that floods and water waves have been generated by earthquakes or landslide events along the shores of the Great Salt Lake.

5. All documents identifying or documenting the height of water waves and resulting flooding along the shores of the Great Salt Lake generated by earthquakes or landslide events.

6. All documents relied upon to support the assertion that Rowley Junction and/or the new location of the ITP has been impacted by extensive flooding events in the recent past due to the rise in elevation of the Great Salt Lake.

7. All documents, data or other information reviewed, considered or relied upon by Mr. Cole or any other expert or consultant assisting the State with respect to Contention N.

IX. BOARD CONTENTION 9 (UTAH R) EMERGENCY PLANNING

A. Requests for Admission – Utah R

1. Do you admit that PFS will have an adequate number of personnel trained (as identified in PFS's responses to RAI 9-14; RAI EP-7; RAI EP-21) to fight fires on site at the PFS ISFSI?

2. Do you admit that PFS will have sufficient capability to summon staff members (as identified in PFS's response to RAI 9-14) to fight fires at the PFS ISFSI during off hours if necessary?

3. Do you admit that PFS will have access to sufficient equipment (as identified in PFS's response to RAI EP-7) to fight fires at the PFS ISFSI?

4. Do you admit that PFS will have sufficient water on site (as identified in PFS's response to RAI EP-7) to fight fires at the PFS ISFSI?

5. Do you admit that PFS will have sufficient capability to fight fires onsite at the PFS ISFSI.

X. Interrogatories – Utah R

1. To the extent the State does not admit admission 5 above, identify and fully explain each respect in which the State contends that PFS's capability to fight fires onsite at the PFS ISFSI, as described in its responses to the RAIs, is inadequate.

2. To the extent the State does not admit admission 5 above, identify the capabilities (e.g., equipment and personnel) that the State contends would be required to adequately fight fires at the PFS ISFSI.

3. To the extent the State does not admit admission 5 above, explain fully the professional, technical and any other bases for State's position that the capabilities set forth in response to interrogatory 2 above would be required to adequately fight fires at the PFS ISFSI.

4. To the extent the State does not admit admission 5 above, identify any accident falling within the scope of 10 C.F.R. 72.32(a)(5) that the State claims would occur as a result of inadequate capability to fight fires at the PFS ISFSI.

5. . To the extent the State does not admit admission 5 above, explain fully the scientific, technical and any other bases for any accidents identified in response to interrogatory 4 above.

B. Document Requests – Utah R

To the extent the State does not admit admission 5 above, the Applicant requests the State of Utah to produce the following documents directly or indirectly within its possession, custody or control to the extent not previously produced by the State during informal discovery:

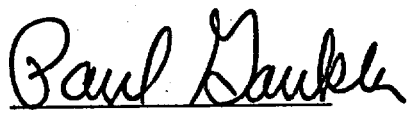
1. All documents related to the claims raised by the State, as admitted by the Board, in Contention R.

2. All documents, data or other information reviewed, considered or relied upon by any expert or consultant assisting the State with respect to Utah Contention R.

3. All documents relied upon by the State to support its position that PFS's capability to fight fires onsite at the PFS ISFSI, as described in its responses to the RAIs, is inadequate.

4. All documents relied upon by the State to support its position that an accident falling within the scope of 10 C.F.R. 72.32(a)(5) would occur as a result of inadequate capability to fight fires at the PFS ISFSI .

Respectfully submitted,



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Dated: April 2, 1999

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

Before the Commission

In the Matter of	)	
	)	
PRIVATE FUEL STORAGE L.L.C.	)	Docket No. 72-22
	)	
(Private Fuel Storage Facility)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the Applicant's First Set of Formal Discovery Requests to Intervenors State of Utah and Confederated Tribes were served on the persons listed below (unless otherwise noted) by e-mail with conforming copies by U.S. mail, first class, postage prepaid, this 2nd day of April 1999.

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