

March 31, 2000

**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) )

**APPLICANT'S SUPPLEMENTAL DISCOVERY RESPONSES TO THE  
STATE OF UTAH'S EIGHTH AND NINTH SETS OF DISCOVERY REQUESTS**  
*[Nonproprietary Version]*

Applicant Private Fuel Storage L.L.C. ("Applicant" or "PFS") files this Supplemental Discovery Response to the State of Utah's Eighth and Ninth sets of discovery requests pursuant to the Atomic Safety and Licensing Board's March 10, 2000 Memorandum and Order ruling on discovery disputes between PFS and the State of Utah. As allowed by the Board's Memorandum and Order, the State and PFS agreed to an extension of the deadline to March 31, 2000 for answering discovery to which the Board had ordered PFS to respond. The State and PFS also agreed that PFS would answer at the same time other discovery requests to which PFS had initially objected but had subsequently agreed to answer in negotiations between the State and PFS.

**I. SUPPLEMENTAL RESPONSE TO STATE OF UTAH'S EIGHTH  
DISCOVERY REQUEST**

**A. INTERROGATORIES – UTAH E**

**INTERROGATORY NO. 7.** In response to State's document request for copies of reports or studies by utilities or others in PFS's possession or control dealing with the economics

of the SNF *storage* market, PFS responded that it has already produced "all such reports or studies relevant to the costs of spent nuclear fuel storage that it has." See Applicant's December 6, 1999 Objections and Responses to State of Utah's Fourth Set of Discovery Requests (hereinafter "PFS Response Fourth Set") at 13, Response to Document Request No. 7. Please describe in detail (e.g., date, title, author, bates number, etc.) each and every such responsive report or study that PFS has already produced to the State.

**APPLICANT'S RESPONSE:** The reports or studies "dealing with the economics of the SNF *storage* market . . . 'relevant to the costs of spent nuclear fuel storage'" which PFS has already produced to the State, are identified in the following list:

| <b>Date</b> | <b>Title</b>   | <b>Author</b> | <b>Bates #</b> |
|-------------|--|---------------|----------------|
| 11/4/96     | Notes of telephone conversation G. Gleason to B. Hennessy re Rad Waste Burial Cost   | B. Hennessy   | 00584          |
| 5/20/97     | Fax from E. Supko to S. Northard re savings associated with Central Interim Storage  | E. Supko      | 8154-57        |
| 6/5/97      | Fax from E. Supko to S. Northard re Cost Benefits of Central Interim Storage   | E. Supko      | 9254-58        |
| 6/19/97     | Fax from E. Supko to J. Parkyn re 20-year Operating License PFSF   | E. Supko      | 11866-68       |
| 7/17/98     | Dec. 1997 Report by E. Supko on Utility At- Reactor Spent Fuel Storage Costs for the Private Fuel Storage Facility Cost Benefit Analysis with 7/7/98 cover letter to E. Supko to S. Northard | E. Supko      | 17835-977      |
| 3/98        | Paper on PFS ISFSI   | Unk.          | 28903          |
| Unk.        | Paper on Southern Nuclear Initiative in PFS ISFSI  | Unk.          | 28904-08       |
| 3/27/98     | E-mail R. Cocherell to J. Welch re Private Fuel with paper on PFS ISFSI  | R. Cocherell  | 28909-14       |
| 4/8/98      | E-mail R. Cocherell to J. Meier re PFSF paper  | R. Cocherell  | 28915-17       |
| 4/9/98      | E-mail from J. Meier to R. Cocherell re PFS paper  | J. Meier      | 28918-19       |
| Unk.        | Paper on PFS ISFSI   | Unk.          | 28921-22       |
| 7/25/97     | E-mail from H. Ray to P. Myers re Owl Creek Energy Project   | H. Ray        | 29352-54       |
| 7/28/97     | E-mail from D. Nunn to H. Ray re Owl Creek   | D. Nunn       | 29355-57       |

| <b>Date</b> | <b>Title</b>  | <b>Author</b>                   | <b>Bates #</b>          |
|-------------|---|---------------------------------|-------------------------|
|             | <b>Energy Project</b>   |                                 |                         |
| 3/96        | Paper by K. Miller on Utility On-Site Spent Fuel Storage Issues   | K. Miller                       | 33271-78                |
| 12/10/93    | TRW report for DOE on At-Reactor Dry Storage Issues, Revision 1   | TRW                             | 33280-350               |
| 7/94        | State of Wisconsin Public Service Commission, Chapter 5 from Final Environmental Impact Statement for Point Beach Spent Fuel Storage in Dry Casks | Wisc. Public Service Commission | 33406-13                |
| 5/20/97     | Fax from E. Supko to S. Northard re "Savings Associated with Central Interim Storage"   | E. Supko                        | 8158-61                 |
| 6/5/97      | Fax from E. Supko to S. Northard re "Cost Benefits of Central Interim Storage"  | E. Supko                        | 8162-66                 |
| 6/19/97     | Fax from E. Supko to S. Northard re "Cost Benefits of Central Interim Storage"  | E. Supko                        | 8167-70<br>also 8171-74 |
| 6/8/98      | Fax from E. Supko to S. Northard re Cost Benefits of Central Interim Storage  | E. Supko                        | 8175-78                 |
| 4/21/97     | Nuclear Fuel article on "Federal Storage v. On-Site Facility: Which has the Real Cost Advantage"  | Nuclear Fuel                    | 8179                    |
| 2/25/96     | Presentation by D. Farrow on "On-Site Dry Cask Storage"   | D. Farrow                       | 8235-45                 |
| Unk.        | Paper on Strategic Advantage of Private Spent Fuel Management   | Unk.                            | 8299-301                |
| 2/18/98     | E. Supko Comments for Salt Lake City Women's Forum  | E. Supko                        | 8373-74                 |
| 6/12/97     | Paper on Owl Creek Energy Project   | Unk.                            | 9236-42                 |
| 7/16/98     | Dec. 1997 Report by ERI on Utility At-Reactor Spent Fuel Storage Costs for the Private Fuel Storage Facility Cost Benefit Analysis                | E. Supko                        | 07732-891               |
| 6/20/97     | Fax from E. Supko to S. Northard re Cost Benefits of Central Interim Storage  | E. Supko                        | 9259-64                 |
| 8/20/97     | Fax from J. Sanchez to J. Parkyn with Owl Creek Marketing Package   | Owl Creek                       | 11645-76                |

| <b>Date</b> | <b>Title</b>  | <b>Author</b> | <b>Bates #</b>                                |
|-------------|---|---------------|---|
| 6/5/97      | Fax from S. Northard to J. Parkyn with E. Supko information on Cost Benefits of Central Interim Storage                           | S. Northard   | 11954-59                                      |
| 2/10/97     | E-mail from D. Nunn to P. Myers re Commissioner Discus Site Visit   | D. Nunn       | 29153-54                                      |
| 7/96        | NEI Paper on Centralized Storage of Used Nuclear Fuel   | NEI           | 29267-71                                      |
| 7/25/97     | E-mail from P. Myers to H. Ray re Owl Creek Energy Project  | P. Myers      | 29349-51                                      |
| 1/18/98     | E-mail from H. Ray to B. Foster re Dry Cask Storage of Used Nuclear Fuel  | H. Ray        | 29365   |
| Unk         | Letter from R. Anderson re Economic Analysis of Owl Creek Energy Project  | R. Anderson   | 36598-611                                     |
| 2/16/99     | Fax from E. Supko to J. Parkyn re Draft Answers to RAIs   | E. Supko      | 47676, 47680-93                               |
| 2/18/99     | Fax from M. Schwartz to J. Parkyn re Draft response to RAI 15-2a  | M. Schwartz   | 47694-96                                      |
| 6/20/97     | Fax from E. Supko to S. Northard re Cost Benefits of Central Interim Storage  | E. Supko      | 47941-46                                      |
| 6/17/--     | Notes from R. Phares call with NRC on Cost Benefit Analysis   | Unk.          | 37811-15                                      |
| 6/12/97     | Information package on Owl Creek Energy Project   | Owl Creek     | 06926-32                                      |
| 11/99       | ERI Report on Utility At-Reactor Spent Fuel Storage Costs for the Private Fuel Storage Facility Cost-Benefit Analysis, Revision 1 | E. Supko      | n/a (transmitted by letter directly to State) |
| 3/24/93     | A Preliminary Evaluation of Using Multi-Purpose Canisters Within the Civilian Radioactive Waste Management System                 | TRW           | 52950-3177                                    |
| 11/24/97    | Acquisition of Waste Acceptance and Transportation Services for the Office of Civilian Radioactive Waste Management               | U.S. DOE      | 52707-935                                     |

**INTERROGATORY NO. 8.** In response to State's document request for documents describing or analyzing the cost of operating proposed or existing ISFISs at locations other than PFS, PFS responded that it has already produced any such documents "relating to the costs of

operating ISFSIs (including those at locations different from that of the PFSF." See PFS Response Fourth Set at 19, Applicant's Response to State's Document Request No. 20. Please describe in detail (e.g., date, title, author, bates number, etc.) each and every such responsive document that PFS has already produced to the State.

**APPLICANT'S RESPONSE:** The documents "describing or analyzing the cost of operating proposed or existing ISFSIs at locations other than PFS," which PFS has already produced to the State, are identified in the following list:

| <b>Date</b> | <b>Title</b>   | <b>Author</b> | <b>Bates #</b>            |
|-------------|--|---------------|---------------------------|
| 11/4/96     | Notes of telephone conversation G. Gleason to B. Hennessy re Rad Waste Burial Cost   | B. Hennessy   | 00584                     |
| 5/20/97     | Fax from E. Supko to S. Northard re savings associated with Central Interim Storage  | E. Supko      | 8154-57                   |
| 6/6/97      | Letter from S. Northard to R. Grigg re status of PFS   | S. Northard   | 9248-52                   |
| 6/5/97      | Fax from E. Supko to S. Northard re Cost Benefits of Central Interim Storage   | E. Supko      | 9254-58                   |
| 4/6/97      | TRW report for DOE on Centralized Interim Storage Facility – Draft Cost Estimate   | TRW           | 17179-87<br>also 41733-41 |
| 7/17/95     | Presentation by A. Kubo on Upton Bill – H.R.1020   | A. Kubo       | 17188-96                  |
| 12/9/97     | Notes by S. Northard re Differences between PFSF and DOE storage   | S. Northard   | 17197-203                 |
| 7/17/98     | Dec. 1997 Report by E. Supko on Utility At- Reactor Spent Fuel Storage Costs for the Private Fuel Storage Facility Cost Benefit Analysis with 7/7/98 cover letter to E. Supko to S. Northard | E. Supko      | 17835-977                 |
| 3/98        | Paper on PFS ISFSI   | Unk.          | 28903                     |
| Unk.        | Paper on Southern Nuclear Initiative in PFS ISFSI  | Unk.          | 28904-08                  |
| 3/27/98     | E-mail R. Cocherell to J. Welch re Private Fuel with paper on PFS ISFSI  | R. Cocherell  | 28909-14                  |
| 4/8/98      | E-mail R. Cocherell to J. Meier re PFSF paper  | R. Cocherell  | 28915-17                  |
| 4/9/98      | E-mail from J. Meier to R. Cocherell re PFS paper  | J. Meier      | 28918-19                  |
| Unk.        | Paper on PFS ISFSI   | Unk.          | 28921-22                  |

| <b>Date</b> | <b>Title</b>  | <b>Author</b>                   | <b>Bates #</b>          |
|-------------|---|---------------------------------|-------------------------|
| 7/25/97     | E-mail from H. Ray to P. Myers re Owl Creek Energy Project  | H. Ray                          | 29352-54                |
| 7/28/97     | E-mail from D. Nunn to H. Ray re Owl Creek Energy Project   | D. Nunn                         | 29355-57                |
| 3/96        | Paper by K. Miller on Utility On-Site Spent Fuel Storage Issues   | K. Miller                       | 33271-78                |
| 12/10/93    | TRW report for DOE on At-Reactor Dry Storage Issues, Revision 1   | TRW                             | 33280-350               |
| 7/94        | State of Wisconsin Public Service Commission, Chapter 5 from Final Environmental Impact Statement for Point Beach Spent Fuel Storage in Dry Casks | Wisc. Public Service Commission | 33406-13                |
| 1/31/97     | Notes from INMM presentation by C. Kouts on DOE storage   | Unk.                            | 35533                   |
| 5/20/97     | Fax from E. Supko to S. Northard re "Savings Associated with Central Interim Storage"   | E. Supko                        | 8158-61                 |
| 6/5/97      | Fax from E. Supko to S. Northard re "Cost Benefits of Central Interim Storage"  | E. Supko                        | 8162-66                 |
| 6/19/97     | Fax from E. Supko to S. Northard re "Cost Benefits of Central Interim Storage"  | E. Supko                        | 8167-70<br>also 8171-74 |
| 6/8/98      | Fax from E. Supko to S. Northard re Cost Benefits of Central Interim Storage  | E. Supko                        | 8175-78                 |
| 4/21/97     | Nuclear Fuel article on "Federal Storage v. On-Site Facility: Which has the Real Cost Advantage"  | Nuclear Fuel                    | 8179                    |
| 2/25/96     | Presentation by D. Farrow on "On-Site Dry Cask Storage"   | D. Farrow                       | 8235-45                 |
| 7/16/98     | Dec. 1997 Report by ERI on Utility At-Reactor Spent Fuel Storage Costs for the Private Fuel Storage Facility Cost Benefit Analysis                | E. Supko                        | 07732-891               |
| 6/20/97     | Fax from E. Supko to S. Northard re Cost Benefits of Central Interim Storage  | E. Supko                        | 9259-64                 |
| 8/20/97     | Fax from J. Sanchez to J. Parkyn with Owl Creek Marketing Package   | Owl Creek                       | 11645-76                |
| 6/5/97      | Fax from S. Northard to J. Parkyn with E. Supko information on Cost Benefits of Central Interim Storage   | S. Northard                     | 11954-59                |
| 3/7/97      | Paper on Spent Fuel Storage and Disposal  | Unk.                            | 28895-97                |

| Date    | Title  | Author      | Bates #   |
|---------|--|-------------|-----------|
|         | Southern Elective System   |             |           |
| 7/25/97 | E-mail from P. Myers to H. Ray re Owl Creek Energy Project                   | P. Myers    | 29349-51  |
| 1/18/98 | E-mail from H. Ray to B. Foster re Dry Cask Storage of Used Nuclear Fuel     | H. Ray      | 29365     |
| Unk     | Letter from R. Anderson re Economic Analysis of Owl Creek Energy Project     | R. Anderson | 36598-611 |
| 2/16/99 | Fax from E. Supko to J. Parkyn re Draft Answers to RAIs                      | E. Supko    | 47676-93  |
| 2/18/99 | Fax from M. Schwartz to J. Parkyn re Draft response to RAI 15-2a             | M. Schwartz | 47694-96  |
| 6/20/97 | Fax from E. Supko to S. Northard re Cost Benefits of Central Interim Storage | E. Supko    | 47941-46  |
| 6/12/97 | Information package on Owl Creek Energy Project                              | Owl Creek   | 06926-32  |

#### B. DOCUMENT REQUESTS – UTAH CONTENTION E

**DOCUMENT REQUEST NO. 2.** Please provide an unredacted copy of PFS current business plan. If PFS claims that any of the material in the business plan is privileged, please clearly show on the document the privilege claimed for any redactions.

**APPLICANT'S RESPONSE:** Pursuant to its agreement with the State resolving the discovery dispute with respect to this request, PFS is producing the material redacted from pages Bates Nos. 12023-25 of the Business Plan.

#### C. INTERROGATORIES – UTAH CONTENTION S

**INTERROGATORY NO. 5.** In response to State's request for documents discussing the methodologies, plans or procedures for decontaminating and/or decommissioning an ISFSI within the U.S., PFS responded that it has already produced all such documents. See PFS Response Fourth Set at 38, Response to Document Request No. 13. Please describe in detail (e.g., date, title, author, bates number, etc.) each and every such responsive document that PFS has already produced to the State.

**APPLICANT'S RESPONSE:** The documents "discussing the methodologies, plans or procedures for decontaminating and/or decommissioning an ISFSI within the U.S.," which PFS has already produced to the State, are identified in the following list:

| <b>Date</b> | <b>Title</b>  | <b>Author</b>  | <b>Bates #</b>   |
|-------------|---|----------------|------------------|
| 5/20/97     | Amended and Restated Business Lease between Skull Valley Band of Goshute Indians and PFS                      | n/a            | Lease<br>017     |
| 6/18/98     | Letter from J. Donnell to NMSS with response to RAI LA 1-6  | J. Donnell     | 21731-35         |
| Unk.        | Preliminary Decommissioning Plan for PFSF   | PFS            | 00006-18A        |
| Unk.        | Draft Section 4.4 on Decontamination Decommissioning  | PFS            | 00993-1000       |
| Unk.        | Draft Section 4.4 on Decontamination & Decommissioning  | PFS            | 01003-<br>01009A |
| Unk.        | Draft PFS SAR Section 9.6 on Decommissioning Plans  | PFS            | 01642-47         |
| Unk.        | Draft Section 4.4 on Decontamination & Decommissioning and Draft PFS SAR Section 9.6 on Decommissioning Plans | PFS            | 02071-80         |
| 11/01/96    | Memo from B. Hennessy to S. Macie re Unrestricted Release of Cask Concrete                                    | B.<br>Hennessy | 00512-14         |
| 11/4/96     | Notes of telephone conversation G. Gleason to B. Hennessy re Rad Waste Burial Cost                            | B.<br>Hennessy | 00584            |
| 5/22/97     | Draft PFSF LA Chapter on Decommissioning Plan   | PFS            | 01961-64         |
| Unk.        | PSFS Preliminary Decommissioning Plan Input Bases Matrix  | PFS            | 01238-39         |

| <b>Date</b> | <b>Title</b>   | <b>Author</b>             | <b>Bates #</b>                         |
|-------------|--|---------------------------|--|
| 6/10/97     | PFSF Demolitional/Disposal Cost  | PFS                       | 00591-93<br>also 03087-89              |
| 6/12/97     | Fax from M. DeLong to J. Parkyn re Prairie Island NGP Unit 1 Decontamination Background              | Unk.                      | 9211-28                                |
| 5/23/97     | Fax from S. Northard to J. Parkyn re comments on Draft PFSF Decommissioning Plan                     | S. Northard               | 9278-82                                |
| 6/12/97     | Fax from M. DeLong to J. Parkyn re Decontamination and Decommissioning                               | M. DeLong                 | 9232-34                                |
| 6/13/97     | Fax from M. DeLong to J. Parkyn re Prairie Island NGP Decontamination Background                     | M. DeLong                 | 9268-70                                |
| 5/23/97     | Fax from B. Hennessy/P. Michaud to J. Parkyn with comments on PFS LA section on Decommissioning Plan | B. Hennessy<br>P. Michaud | 9283-89                                |
| 6/20/97     | Letter from D. Reisenweaver to J. Parkyn re Preliminary Cost Estimate for an ISFSI                   | D. Reisenweaver           | 9669-70<br>also<br>9687-88,<br>9830-31 |
| Unk.        | Fax from P. Horn to R. Brimer re Palo Verde Decommissioning Cost Reduction Plan                      | P.Horn                    | 10284-87                               |
| 6/12/97     | Fax from M. DeLong to S. Parkyn re Prairie Island NGP Decontamination Plans                          | M. DeLong                 | 11939-50                               |
| 6/12/97     | Fax from M. DeLong to J. Parkyn re Decontamination & Decommissioning                                 | M. DeLong                 | 11951-53                               |
| 6/02/97     | Notes from teleconference with M. DeLong re Pad Decontamination                                      | Unk.                      | 23774-75                               |
| 11/4/96     | Memo from B. Hennessy to S. Macie re Unrestricted  | B.                        | 24896-901                              |

| <b>Date</b> | <b>Title</b>  | <b>Author</b> | <b>Bates #</b> |
|-------------|---|---------------|----------------|
|             | Release of Cask Concrete  | Hennessy      |                |
| Unk.        | Comments on Draft PFS SAR Section on Decommissioning Operations | Unk.          | 26635-36       |
| 4/15/97     | Fax from M. DeLong to J. Johns re PFSF Decommissioning Costs    | M. DeLong     | 23776-84       |
| 4/15/97     | Notes from Phares Conference with M. DeLong on Decommissioning  | Unk.          | 23785          |
| Unk.        | Information from M. DeLong on Decommissioning                   | M. DeLong     | 33254-66       |
| 5/22/97     | Comments on Draft PFS LA Decommissioning Plan                   | Unk.          | 42260-65       |
| 5/23/97     | Comments from S. Northard on PFS LA Decommissioning Plan        | S. Northard   | 42266-70       |
| 6/20/97     | Comments from J. Parkyn on PFS LA Decommissioning Cost Estimate | J. Parkyn     | 42271-75       |
| 6/16/97     | Comments on PFS LA Decommissioning Cost Estimate                | Unk.          | 42282-85       |
| 6/15/97     | Comments on PFS LA Decommissioning Sections                     | Unk.          | 42286-91       |
| 6/16/97     | Comments on PFS LA Decommissioning Sections                     | Unk.          | 42292-93       |
| 6/13/97     | Comments on PFS LA Decommissioning Sections                     | Unk.          | 42294-97       |

**D. DOCUMENT REQUEST –UTAH S**

**DOCUMENT REQUEST NO. 1.** Please refer to your response to Admission Request No. 1 (Utah S), PFS Response Fourth Set at 23. Please provide the document or documents that formed the basis for your interpretation of NRC's definition of "credible accident."

**APPLICANT'S RESPONSE:** The following list of NRC documents provided the basis for PFS's interpretation of NRC's definition of "credible accident":

1. 10 C.F.R. Part 72
2. 10 C.F.R. Part 50
3. 10 C.F.R. Part 100
4. Statements of Consideration for the 10 CFR 72.32 final rule ("Emergency Planning Licensing Requirements for Independent Spent Fuel Storage Facilities (ISFSI) and Monitored Retrievable Storage Facilities (MRS)," 60 Fed. Reg. 32,430 (1995).
5. Statements of Consideration for 10 C.F.R. Part 60, Final Rule, 61 Fed. Reg. 64,257 (1996).
6. Interim Staff Guidance – 3, "Post Accident Recovery and Compliance with 10 CFR 72.122(l)", issued October 6, 1998.
7. NUREG-1567, Standard Review Plan for Spent Fuel Dry Storage Facilities, Draft Report for Comment, U.S. Nuclear Regulatory Commission, October 1996.
  - Regulatory Guides 1.13, 1.25, 1.59, 1.60, 1.76, 1.91, 1.102, 1.113, 1.143, 1.145, (see NUREG-1567, Table A-5)
  - NUREG-0800, Sections 2.3.4, 2.4.2, 2.4.3, 2.4.4, 2.4.5, 2.4.6, 2.4.7, 2.5.5, 3.3.1, 3.3.2, 3.5.1.4, 3.5.1.5, 3.5.1.6, 3.7.1, 15.7.5 (see NUREG-1567, Table A-7)
8. Regulatory Guide 1.70, Revision 3, Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants, LWR Edition, U.S. NRC, November 1978.
9. U.S. NRC SECY-98-071, from L. Joseph Callan (EDO) to the Commissioners, "Exemption to 10 CFR 72.102(f)(1) Seismic Design Requirement for Three Mile Island Unit 2 Independent Spent Fuel Storage Installation," dated April 8, 1998.
10. U.S. NRC SECY-98-126, from L. Joseph Callan (EDO) to the Commissioners, "Rulemaking Plan: Geological and Seismological Characteristics for Siting and Design of Dry Cask Independent Spent Fuel Storage Installations, 10 CFR Part 72," dated June 4, 1998.
11. U.S. NRC Safety Evaluation Report of Three Mile Island Unit 2 Independent Spent Fuel Storage Installation Safety Analysis Report, enclosed in U.S. NRC letter dated March 19 1999, from E. W. Brach to W. E. Bergholz, Subject: "Issuance of Materials License SNM-2508 for the Three Mile Island, Unit 2, Independent Spent Fuel Storage Installation."
12. NUREG-1140, Regulatory Analysis on Emergency Preparedness for Fuel Cycle and Other Radioactive Material Licensees, Final Report, U.S. Nuclear Regulatory Commission, January 1988.
13. NUREG-0800, Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants, LWR Edition, U.S. Nuclear Regulatory Commission, June 1987.

**II. SUPPLEMENTAL RESPONSE TO STATE OF UTAH'S NINTH DISCOVERY REQUEST**

**A. REQUEST FOR ADMISSIONS – UTAH E**

**REQUEST FOR ADMISSION NO. 4.** See Supplemental Proprietary Response.

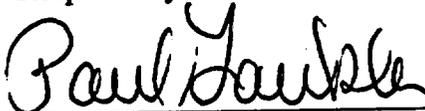
**B. DOCUMENT REQUEST – UTAH E**

**DOCUMENT REQUEST NO. 24.** Please refer to page 44 of 91 in the "Financial Plan" scenario in PFS' 1997 Business Plan (PFS bates no. 07959), where a debt service scenario for a \$100 million loan at 9 percent interest is described.

- a. Please provide all documents relating to PFS's assertion that it could acquire financing for the construction of the Skull Valley facility at an interest rate of approximately 9 percent.
- b. Please provide any documents showing or tending to show that financing of this project would require a higher rate.
- c. The documentation provided in response to (a) and (b) should include documentation of the collateral required and other terms in order to qualify for any such rate.

**APPLICANT'S RESPONSE:** PFS is not aware of any documents responsive to this request beyond those already produced by PFS to the State.

Respectfully submitted,



Jay E. Silberg  
Ernest L. Blake, Jr.  
Paul A. Gaukler  
SHAW PITTMAN,  
2300 N Street, N.W.  
Washington, DC 20037  
(202) 663-8000  
Counsel for Private Fuel Storage L.L.C.

Dated: March 31, 2000

**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 |

**DECLARATION OF WILLIAM R. HOLLAWAY**

William R. Hollaway states as follows under penalties of perjury:

1. I am an Associate with Shaw Pittman, supporting Private Fuel Storage, L.L.C. ("PFS") on the Private Fuel Storage Facility ("PFSF") project. As an attorney supporting PFS, I am responsible for identifying PFS documents to be produced pursuant to the discovery process.

2. I am duly authorized to verify Applicant's Response to State's Interrogatory Nos. 7 and 8 with respect to Utah Contention E and Interrogatory No. 5 with respect to Utah Contention S, as stated in the December 29, 1999 "State of Utah's Eighth Set of Discovery Requests Directed to the Applicant (Utah Contentions E & S)."

3. I certify that the statements and opinions in such responses are true and correct to the best of my personal knowledge and belief.

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

Executed on March 31, 2000.

  
\_\_\_\_\_  
William R. Hollaway

**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 |

**CERTIFICATE OF SERVICE**

I hereby certify that copies of "Applicant's Supplemental Discovery Responses to the State of Utah's Eighth and Ninth Sets of Discovery Requests [*Nonproprietary Version*]" and the declaration of William R. Hollaway 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 31st day of March 2000.

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