



OFFICE OF THE  
GENERAL COUNSEL

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

November 30, 2000

Emile L. Julian, Esq.  
Rulemakings and Adjudications Staff  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

In the Matter of  
Private Fuel Storage L.L.C.  
(Independent Spent Fuel Storage Installation)  
Docket No. 72-22-ISFSI

Dear Mr. Julian:

Enclosed is the original "Affidavit of William B. O'Sullivan," a facsimile copy of which was attached as "Exhibit B" to the "NRC Staff's Response to State of Utah's Request for Admission of Late-Filed Contention Utah PP," dated November 9, 2000. Please file the enclosed Affidavit in the formal docket file for this proceeding.

Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Sherwin E. Turk".

Sherwin E. Turk  
Counsel for NRC Staff

cc: Service List

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-ISFSI  
 )  
(Independent Spent Fuel )  
Storage Installation) )

AFFIDAVIT OF WILLIAM B. O'SULLIVAN

I, William B. O'Sullivan, having first been duly sworn, do hereby state as follows:

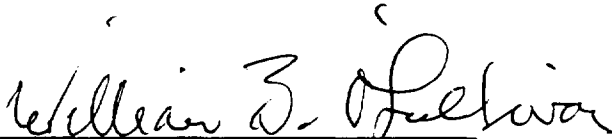
1. I am currently employed as Staff Director, Track Division, Office of Safety, Federal Railroad Administration ("FRA") in Washington, D.C.

2. I am personally acquainted with Mr. Gordon Davids, a Bridge Engineer in the Track Division, Office of Safety, FRA, who works under my direct supervision. Mr. Davids is currently away from the office on approved leave, and is unavailable to execute this affidavit.

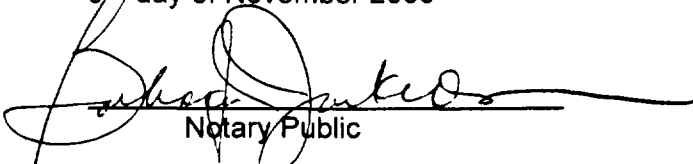
3. The attached E-mail messages were provided to me by FRA Counsel, who received the messages from Mr. Davids. Based on my information and belief, the attached messages constitute actual records of messages that were transmitted between Mr. Davids and Mr. Matthew Lamb of Radioactive Waste Management Associates, on the dates indicated.

4. Based on my information and belief, and my discussions with FRA Counsel, I hereby confirm the genuineness and authenticity of the attached E-mail messages.

5. I hereby certify that the foregoing is true and correct to the best of my knowledge, information and belief.

  
William B. O'Sullivan

Sworn to before me this  
9<sup>th</sup> day of November 2000

  
Notary Public  
My commission expires: OCT 31 2004