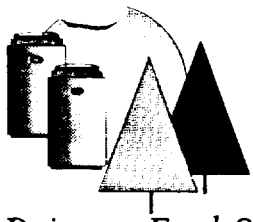
72-22



Private Fuel Storage, LLC

P.O. Box C4010, La Crosse, WI 54602-4010
John D. Parkyn, Chairman of the Board
August 28, 1998

Mr. Glenn Carpenter, District Manager
Bureau of Land Management
2370 South 2300 West
Salt Lake City, UT 84119

Dear Mr. Carpenter:

APPLICATION FOR TRANSPORTATION ON FEDERAL LANDS
PRIVATE FUEL STORAGE FACILITY
PRIVATE FUEL STORAGE L.L.C.

References: 1) Stone & Webster letter, Hennessy to Carpenter, Transmittal of License Application, dated July 29, 1998
2) BLM letter, Lamb to Shum, #1793 (UT-934), dated June 30, 1998

Please find enclosed right-of-way applications for utilization of BLM managed public lands in support of two transportation options for the Private Fuel Storage Facility (PFSF) project. As noted in Reference 1, we had been in the process of amending our NRC License Application (LA) documents to reflect a revised approach to offsite transportation that is based on the information in the enclosed right-of-way applications. The NRC LA amendment has been completed and is being transmitted to the NRC concurrent with the submittal of these applications to BLM.

The purpose of the NRC LA is obtain a license to store nuclear power plant spent fuel on the Skull Valley Indian Reservation and includes an Environmental Report (ER) that contains a description of the environmental effects of transporting spent fuel to the PFSF, as well as the effects associated with constructing and operating the PFSF on the reservation. It is our understanding that the NRC will include BLM as cooperating agency in the ER review process and associated preparation of an EIS.

Our preferred transportation mode is by direct rail to the PFSF which necessitates a new rail spur. The proposed new rail spur originates from the Union Pacific mainline at Low Junction south of I-80 and proceeds along the western side of Skull Valley for 32 miles on BLM land to the Goshute Reservation (see enclosed figure 2.1-1 and drawings 0599602-EY-10, 11, 12, and 13).

155/SFPO

An alternate transportation mode is to offload the shipping casks from the rail mainline at an Intermodal Transfer Point (ITP) onto heavy haul trucks and travel on Skull Valley Road to the reservation. The proposed ITP is also on BLM land approximately 1.8 miles west of Timpie north of I-80 (located in the north half of the southeast quarter of the southeast quarter of section 12, T1N, R8W consisting of approximately 11 acres as shown on enclosed drawing 0599601-EY-9 and 14) and includes a short access road to connect to the existing frontage road .

Both modes of transportation are viable. The rail spur is the preferred mode of transportation because it involves less handling of the casks and is therefore more efficient and timely. In addition, while there is little traffic and population on Skull Valley Road, the large tractor/trailers needed to haul the casks will create some level of interference, which will be avoided using the rail spur. The intermodal / truck alternate provides a supplementary mode of transportation to the PFSF.

The Private Fuel Storage L.L.C. is aware of BLM topics of interest (Reference 2) and is looking forward to working with the BLM in addressing these topics and obtaining approval of the enclosed right-of-way applications.

If you have any questions, please contact me at 608-787-1236 or our Project Director, John Donnell, at 303-741-7009.

Sincerely,

John D. Parkyn, Chairman
Private Fuel Storage L.L.C.

JDP:sg

Enclosures

H:\SHARED\PFS\LETTERS\0826A.SAM

Copy to:

Mr. Leon Bear, Skull Valley Band of Goshute Indians
Mr. Mark Delligatti, NRC
Mr. Jay Silberg, Shaw Pittman
Mr. John Donnell, PFSLLC
Ms. Denise Chancellor, State of Utah
Mr. David Allison, BIA
Ms. Patricia Winmill, Parsons Behle
Ms. Margaret Swimmer, Hall Estill

STANDARD FORM 299 (10/95)
Prescribed by DOI/USDA/DOT
P.L. 96-487 and Federal
Register Notice 5-22-95

APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS AND FACILITIES ON FEDERAL LANDS

FORM APPROVED
OMB NO. 1004-0060
Expires: August 31,1998

FOR AGENCY USE ONLY

NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting.

Application Number

Date Filed

1. Name and address of applicant *(include zip code)*

Private Fuel Storage L.L.C.
PO Box C4010
La Crosse, WI 54602-4010

2. Name, title, and address of authorized agent if different from item 1 *(include zip code)*

John Donnell, Project Director
PO Box 5406
Denver, CO 80217-5406

3. TELEPHONE *(area code)*
303-741-7009

Applicant Private Fuel Storage L.L.C.

Authorized Agent

4. As applicant are you? *(check one)*
   a. ____ Individual
   b. ____ Corporation*
   c. ____ Partnership/Association*
   d. ____ State Government/State Agency
   e. ____ Local Government
   f. ____ Federal Agency
   g. ✓ Limited Liability Corporation

** If checked, complete supplement page*

5. Specify what application is for: *(check one)*
   a. ✓ New authorization
   b. ____ Renewing existing authorization No.
   c. ____ Amend existing authorization No.
   d. ____ Assign existing authorization No.
   e. ____ Existing use for which no authorization has been received *
   f. ____ Other*

** If checked, provide details under item 7*

6. If an individual, or partnership are you a citizen(s) of the United States? ____ Yes ____ No

7. Project description (describe in detail): (a) Type of system or facility, *(e.g., canal, pipeline, road);* (b) related structures and facilities; (c) physical specifications *(Length, width, grading. etc.);* (d) term of years needed: (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction: and (h) temporary work areas needed for construction *(Attach additional sheets, if additional space is needed.)*

(a) The right of way (ROW) will be used to construct a railroad spur from the Union Pacific mainline at Low, Utah to Skull Valley Indian Reservation across Public Lands administered by the BLM. The attached Figure 2.1-1 and drawings 0599602-EY-10, 11, 12, & 13 depict the general route of the proposed right of way. See Environmental Report (ER) Section 3.2.1.5, "LOW CORRIDOR RAIL SPUR," for a more detailed description of the proposed spur.

(b) The rail spur will be used to transport sealed transportation casks of spent nuclear fuel to the Private Fuel Storage Facility (PFSF), a temporary spent commercial nuclear fuel storage site. See description of the PFSF in ER Sec. 3.2.1.2, "STORAGE FACILITY."

(c) The ROW is 32 miles long (3 mi parallel to I-80, 26 mi S, and 3 mi E to PFSF). A permanent right of way, anticipated to be 200 ft wide, is requested. Within this right of way, 40 ft will be used for the track bed with the remaining being related cuts and fills, which will be re-vegetated. See ER Sec. 3.2.1.5, "LOW CORRIDOR RAIL SPUR," for a more detailed description of the physical specifications of the spur. The applicant has commenced environmental and constructability analyses within a 1 mile wide corridor along the general route depicted in the attached drawings. Additional studies and analyses will be necessary in order to finalize the alignment within that corridor.

(d) Term of use is expected to be 50 years.

(e) During the initial years of operation until the storage facility reaches its capacity of 4000 stored canisters, it is expected that between 100 to 200 shipments of transportation casks will be shipped to the site each year, resulting in less than one round trip being made on average each week. At the end of the storage facility's life, the 4000 canisters will be shipped from the site to the Department of Energy. See details in ER Section 3.3, "FACILITY OPERATION."

(f) Each rail shipment consists of 3 – 5 transportation casks. See ER Sec. 1.2, "NEED FOR THE FACILITY," for discussion of the anticipated shipment volumes.

(g) Construction of the rail spur is scheduled to begin in the fall of 2000 and last about 14 months. See ER Sec. 1.3, "PROPOSED PROJECT SCHEDULE."

(h) A temporary use area of 100 ft, 50 ft on each side of the 200 ft wide permanent right of way may be necessary for construction (storage area along the corridor to temporarily stockpile soil). See ER Sec. 4.4, "EFFECTS OF CONSTRUCTION AND OPERATION OF THE LOW CORRIDOR RAIL SPUR," for a discussion of the proposed construction.

8. Attach a map covering the area and show location of project proposal — See attached Figure 2.1-1 and drawings 0599602-EY-10, 11, 12, and 13 for a depiction of the general route of the proposed right of way.

9. State or Local government approval: ____ Attached ____ Applied for ✓ Not Required

(Continued on next page)

10. Nonreturnable application fee: ____ Attached ____ Not required

11. Does project cross international boundary or affected international waterways? ____ Yes ✓ No *(if "yes," indicate on map)*

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested

The PFSLLC has the technical and financial capability to construct, operate, maintain, and terminate the proposed railroad spur.

Technical Capability

PFSLLC personnel have experience with the design, construction, and operation of rail transportation facilities and spent fuel handling associated with Nuclear Generating Plants and spent fuel storage facilities. The rail spur will be operated in accordance with all applicable NRC and DOT requirements. Chapter 9 of the PFSF Safety Analysis Report (SAR) provides a discussion of Technical Qualifications of the PFSF staff to design, construct, and operate the PFSF and related facilities.

Financial Capability

A financing plan has been developed that ensures the PFSLLC has reasonable assurance of obtaining the necessary funds to construct, operate and decommission the PFSF. See details of the financial capabilities in the LA, Sec. 1.6, "FINACIAL QUALIFICATIONS" and Sec. 1.7, "DECOMMISSIONING FUNDING ASSURANCE."

13a. Describe other reasonable alternative routes and modes considered.

Two modes of transporting the casks from the Union Pacific mainline to the PFSF are being pursued. The preferred approach is by direct rail from the mainline to the PFSF via the proposed new rail spur discussed herein. Alternately, the casks would be transferred from rail car to truck trailer at an intermodal transfer point and transported to the PFSF via the Skull Valley Road using trucks. The intermodal concept is discussed in ER Sec. 3.2.1.4, "INTERMODAL TRANFER POINT / SKULL VALLEY ROAD.".

b. Why were these alternatives not selected?

Both modes of transporting the casks are viable. The intermodal / truck option provides an additional method of transportation to the PFSF. The rail spur is the preferred mode of transportation to the PFSF because it involves less handling of the casks and is therefore more efficient and timely in comparison to the highway. In addition, while there is little traffic on the Skull Valley Road, the large tractor/trailers needed to haul the casks will create some level of traffic interference, which will be avoided using the rail spur.

c. Give explanation as to why it is necessary to cross Federal Lands.

Most of the land in the Skull Valley from the rail mainline to the Skull Valley Indian Reservation is public land administered by the BLM. No feasible rail spur route can be constructed outside of the BLM boundaries.

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. *(Specify number, date, code, or name)*

NRC License Application for the PFSF Independent Spent Fuel Storage Installation (ISFSI)(Docket No. 72-22, dated 6/20/97)

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

The Department of Energy (DOE) was mandated by the Nuclear Waste Policy Act of 1982 to provide permanent disposal of spent nuclear fuel from the nation's commercial nuclear power plants. However, the DOE has not met its 1998 deadline and will not be able to provide permanent storage until at least 2010. As a result, utilities have to provide interim storage for their spent fuel beyond 1998. The PFSF allows storage for those plants, which may be unable to increase their own storage space or where increased on-site storage might be economically disadvantageous. The PFSF may be the only alternative to the premature shutdown of a power plant resulting in the loss of electrical power to the public. It also allows nuclear power plants that are permanently shutdown to remove all the spent fuel from the site and decommission. Construction of the rail spur is an integral part of the PFSF project. The need for the PFSF is described in ER Sections 1-1, "BACKGROUND," and 1-2, "NEED FOR THE FACILITY."

(a) The cost of the new rail spur is still being evaluated, but the construction cost is currently estimated at $25 million. See ER Sec. 7.3, "COSTS," for a detailed discussion of the costs of the PFSF.

(b) Capital cost of the intermodal / truck option is estimated at $10 million. Although the capital costs of the rail spur are higher, it is preferred because of the intrinsic benefits of less handling of the casks and avoidance of the highway system.

(c) The proposed spur line is necessary in order to allow transportation of the spent fuel casks from the mainline to the storage facility for interim storage and, at the end of such storage, for transporting the spent fuel back to the mainline for movement to a permanent storage site. The direct benefit of the PFSF is the continued generation of electric power by the subscribing nuclear power plants. The benefits to the Skull Valley Band of Goshute Indians are steady revenue for the Tribal Government and Band members, jobs for tribal members, increased business at their convenience store during construction and operation, and the potential for new economic development due to the improved transportation access to the reservation. The benefits for Tooele County are cask surcharges, increase in regional employment due to the facility construction and operation, and procurement of materials and supplies for the facility. See ER Sec. 7.2, "BENEFITS," for a discussion of benefits.

(Continued on next page)

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

There are no demographic impacts along the entire rail corridor since the route does not encounter any private ranches or public activities. Therefore, relocation of residential structures, or realignment of fencing, driveways, and roadside utilities will be minimal if required at all. In addition, all construction activity is south of Interstate 80, which eliminates any conflicts associated with the highway, such as overpass/underpass construction. See ER Sec. 4.4.1, "EFFECTS ON GEOGRAPHY, LAND USE, AND DEMOGRAPHY," for details.

No adverse impacts on socioeconomic resources are anticipated. Minor short-term employment will result from construction activities associated with the rail spur. These activities will utilize a local labor force commuting daily to the project area and will therefore not induce relocation of families and associated impacts on local government services. See ER Sec. 4.4.6, "EFFECTS ON SOCIOECONOMICS."

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.

(a) The overall impacts on air quality from construction and operation will be minor and limited to the general vicinity of the corridor. Any impacts will mainly be associated with emissions of fugitive dust from construction activities and from locomotive emissions during cask transport operations. No long-term impacts on the local meteorology/climatology will result from these activities. See ER Sec. 4.4.3, "EFFECTS ON AIR QUALITY," for more details.

(b) Due to the low profile of the rail spur, the rail line will not be obviously visible from most locations in the valley. The rail spur will be apparent near I-80 and from high elevations in the Cedar Mountains. The visual change will be similar with other developments in the area, such as I-80, the RR mainline, and Skull Valley Road. Because of low recreational use of the area, the impact is not expected to be a significant impact. See ER Sec. 4.4.8, "EFFECTS ON REGIONAL HISTORICAL, CULTURAL, SCENIC, AND NATURAL FEATURES," for more details.

(c) There are no existing surface water bodies in the rail spur corridor. Ground water is over 100 ft below the surface. Therefore it is not expected that the rail spur will have any impact on hydrological resources. See ER Sec. 4.4.4, "EFFECTS ON HYDROLOGICAL RESOURCES."

(d) No bodies of water exist along the rail spur route except for dry arroyos, which will require the installation of culverts or small bridges to cross. See ER Sections 4.4.1, "EFFECTS ON GEOGRAPHY, LAND USE, AND DEMOGRAPHY," and "ENVIRONMENTAL PROTECTION AGENCY," for details.

(e) Since the distance between the proposed rail spur and residences along Skull Valley Road is 5 to 10 miles, construction and operation noise is not expected to be very audible. Sound level predictions for the locomotive and rail cars delivering casks to the site indicate that the maximum noise levels would be 31 dBA at Skull Valley Road, 26 dBA near Eight Mile Spring Road, and 19 dBA at the intersection of I-80 and Skull Valley Road. These levels are low and will have a minimal impact on valley residences and mountain wilderness study areas. See ER Sec. 4.4.7, "EFFECTS OF NOISE AND TRAFFIC," for details.

(f) Within the right-of-way, construction activities would temporarily remove 776 acres of greasewood and desert shrub/saltbrush habitat. Assuming a permanent railroad bed width of 40 ft, about 155 acres will be permanently altered. The remaining 621 acres will be re-vegetated after construction. There are no unique vegetation habitat features in the areas proposed for vegetation removal. See ER Sec. 4.4.2, "EFFECTS ON ECOLOGICAL RESOURCES," for details.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

(a) The level of impact to the local population of wildlife from construction and operation is expected to be minimal. Construction activities will temporarily disturb resident wildlife along the rail spur. Larger mammals would temporarily avoid the construction area, but likely return following the completion of construction. Ecological surveys indicate that there are no threatened and endangered species located within the rail spur corridor, except for transient, infrequent occurrences by Bald Eagles and Peregrine Falcons. These should not be adversely affected by construction activities, since these activities are temporary. The rail spur has the potential to divide grazing animals and natural wildlife travel corridors between the west and east sides of Skull Valley briefly during construction. See ER Sec. 4.4.2, "EFFECTS ON ECOLOGICAL RESOURCES," for details.

(b) Due to the location, no effects to marine mammals will occur.

19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6901 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCIA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

Spent commercial nuclear reactor fuel will be transported within the rail spur right-of-way. The spent fuel is safely packaged in shipping casks licensed by the NRC under 10 CFR 71, "Packaging and Transportation of Radioactive Material," transported in accordance with 49 CFR 173, "Shippers General Requirements for Shipments and Packages" and 49 CFR 174, "Carriage by Rail," and physically protected in accordance with 10 CFR 73, "Physical Protection of Plants and Materials."

(Continued on next page)

20. Name all the Department(s)/Agency(ies) where this application is being filed.

Department of Interior / Bureau of Land Management

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant	Date
John L. Jarnell for John Parkyn	6-28-98

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

NORTH

LOW CORRIDOR RAIL SPUR

SKULL VALLEY ROAD

PFSF SITE

Toocle County

State of Utah - County Boundaries

Scale 1:500 000

1 inch equals approximately 8 miles

10 0 10 20 30 40 Miles

10 0 10 20 30 40 50 Kilometers

Contour interval 500 feet

National Geodetic Vertical Datum of 1929

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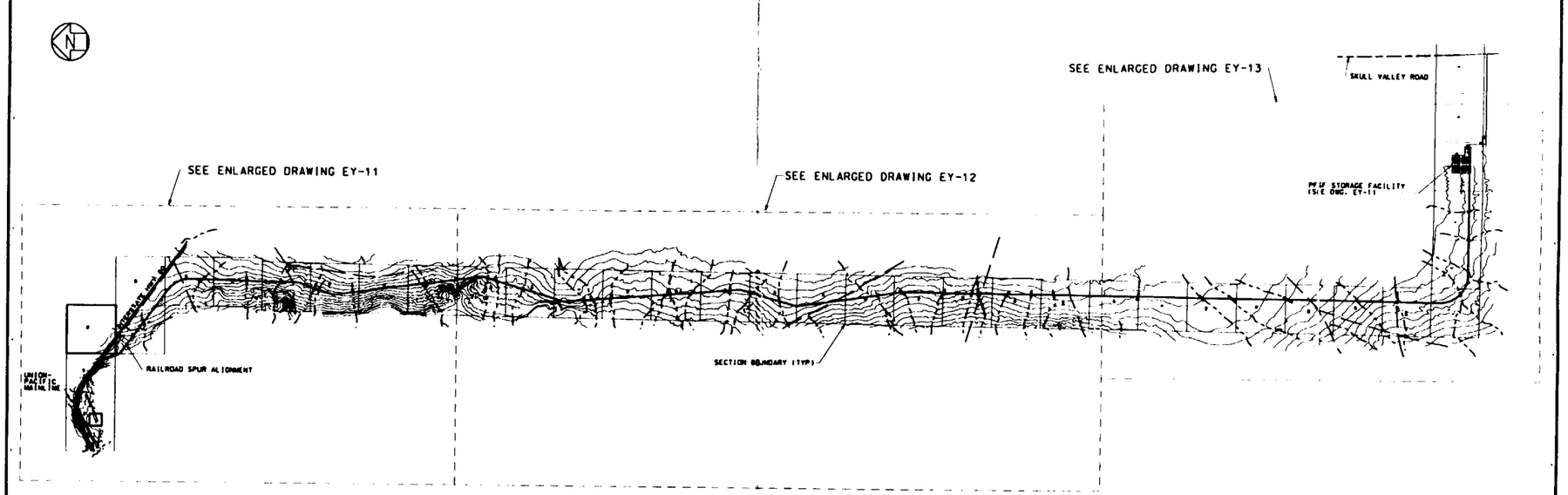
Figure 2.1-1

REGIONAL LOCATION MAP

PRIVATE FUEL STORAGE FACILITY
ENVIRONMENTAL REPORT

Revision 1

0599602-EY-10



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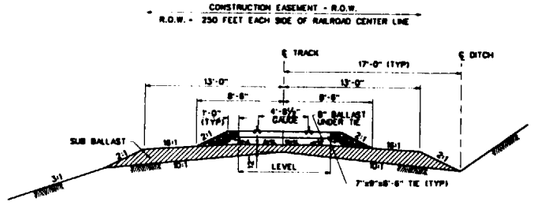

LOW RAILROAD SPUR
TYPICAL SECTION

NOT TO SCALE

APERTURE CARD

Also Available on Aperture Card

LEGEND:

- DRAINAGE PATH
- EXISTING CONTOUR
- EXISTING DIRT ROAD

NOTES:

1. MAPPING DATA ARE BASED ON INFORMATION SHOWN ON USGS 7.5 MINUTE QUADRANGLE SHEETS.

REFERENCE DRAWINGS:

1. USGS 7.5 MINUTE QUADRANGLE MAP 1973 - HICKMAN KNOLLS, UTAH NO. - N4022.5 -W11245
2. USGS 7.5 MINUTE QUADRANGLE MAP 1973 - LTW, UTAH NO. - N4045 - W11252.5
3. USGS 7.5 MINUTE QUADRANGLE MAP 1973 - DELLE, UTAH NO. - N4045 - W11245
4. USGS 7.5 MINUTE QUADRANGLE MAP 1973 - HASTINGS PASS NE, UTAH NO. - N4037.5- W11245
5. USGS 7.5 MINUTE QUADRANGLE MAP 1973 - HASTINGS PASS SE, UTAH NO. - N4030- W11245
6. USGS 7.5 MINUTE QUADRANGLE MAP 1985 - DESERET PEAK WEST, UTAH
7. PROJECT DRAWING EY-1, SITE AND ACCESS ROAD LOCATION PLAN
8. EY-11 - LOW RAILROAD SPUR PLAN AND PROFILE, SH 1
9. EY-12 - LOW RAILROAD SPUR PLAN AND PROFILE, SH 2
10. EY-13 - LOW RAILROAD SPUR PLAN AND PROFILE, SH 3

QA CATEGORY III

SCALE: 1" = 4000'

LOW RAILROAD SPUR
LOCATION PLAN

PRIVATE FUEL STORAGE FACILITY
PRIVATE FUEL STORAGE, LLC

STONE & WEBSTER ENGINEERING CORPORATION
DENVER, COLORADO

DRAWING NUMBER 0599602-EY-10-A

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EY-11

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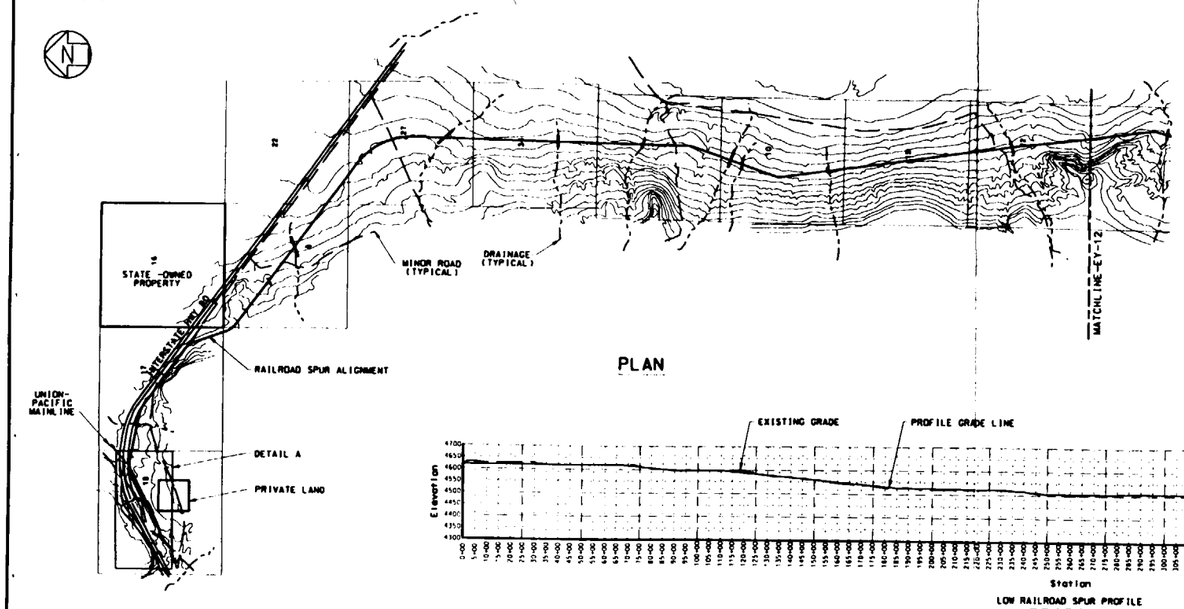

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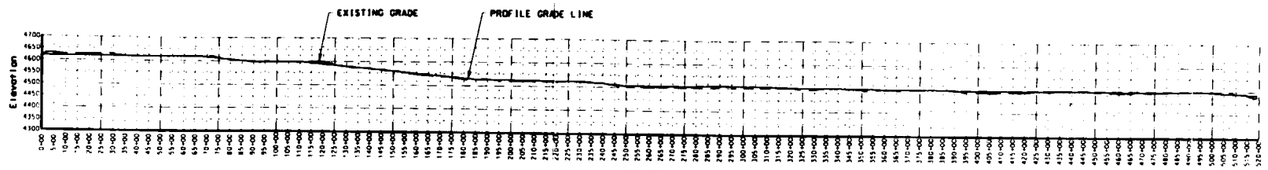
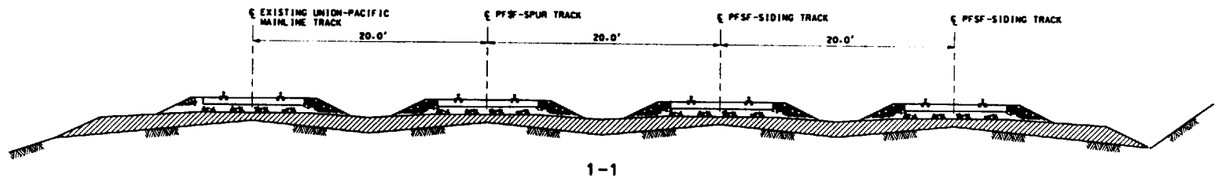


LOW RAILROAD SPUR PROFILE

PROFILE



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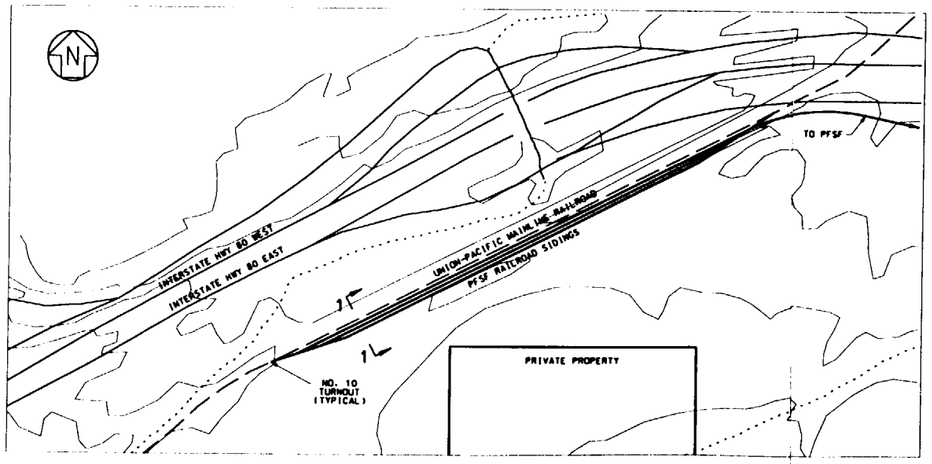

DETAIL A

SCALE: 1" = 500'

LEGEND:

- DRAINAGE PATH
- EXISTING CONTOUR
- EXISTING DIRT ROAD
- EXISTING GRADE (PROFILE ONLY)
- PROPOSED VERTICAL ALIGNMENT (PROFILE GRADE LINE)

NOTES:

1. FOR NOTES AND REFERENCE DRAWINGS, SEE DRAWING EY-10.

0 2000 4000 6000

SCALE: 1" = 2000' U.N.

QA CATEGORY III

LOW RAILROAD SPUR
PLAN & PROFILE, SH 1

PRIVATE FUEL STORAGE FACILITY
PRIVATE FUEL STORAGE, LLC

STONE & WEBSTER ENGINEERING CORPORATION
DENVER, COLORADO

DRAWING NUMBER: 0599602-EY-11-A

0599601

ISSUED FOR PRELIMINARY DESIGN/LICENSING SUBMITTAL

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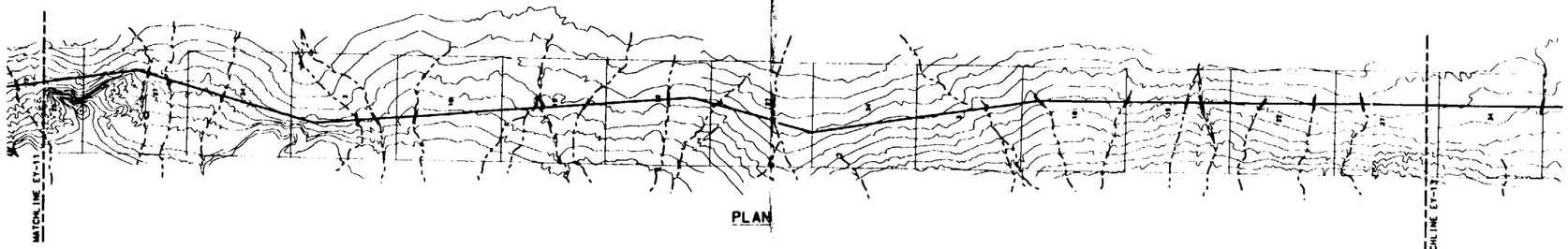

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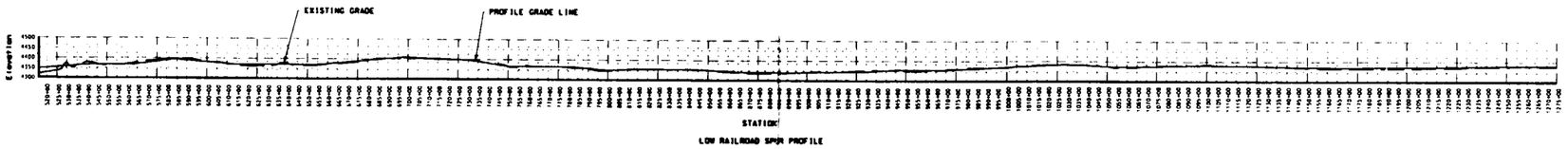

PROFILE

APERTURE CARD

Also Available on Aperture Card

LEGEND:

- DRAINAGE PATH
- EXISTING CONTOUR
- EXISTING DIRT ROAD
- EXISTING GRADE (PROFILE ONLY)
- PROPOSED VERTICAL ALIGNMENT (PROFILE GRADE LINE)

NOTES:

1. FOR NOTES AND REFERENCE DRAWINGS, SEE DRAWING EY-10.

0/. CATEGORY III

SCALE: 1" = 2000'

LOW RAILROAD SPUR
PLAN & PROFILE, SH 2

PRIVATE FUEL STORAGE FACILITY
PRIVATE FUEL STORAGE, LLC

STONE & WEBSTER ENGINEERING CORPORATION
DENVER, COLORADO

DRAWING NUMBER 0599602-EY-12-A

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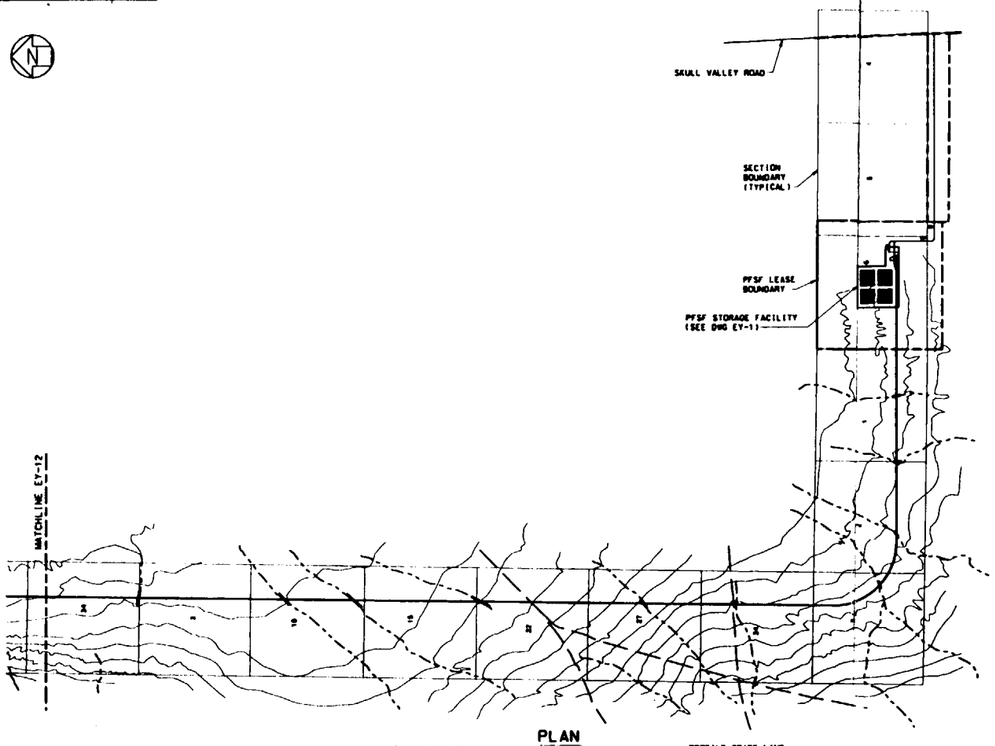

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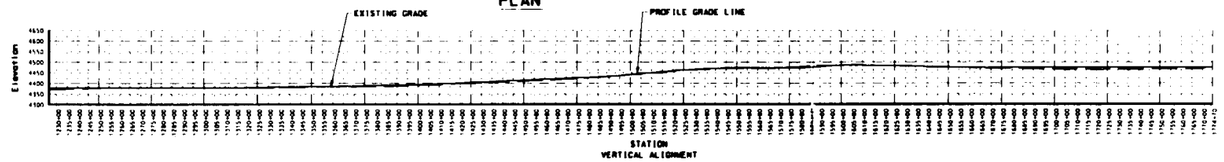

PROFILE

LEGEND:

- DRAINAGE PATH
- EXISTING CONTOUR
- EXISTING DIRT ROAD
- EXISTING GROUND (PROFILE ONLY)
- PROPOSED VERTICAL ALIGNMENT (PROFILE GRADE LINE)

NOTES:

1. FOR NOTES AND REFERENCE DRAWINGS, SEE DRAWING EY-10.

QA CATEGORY III

0 2000 4000 6000
SCALE: 1" = 2000

ISSUED FOR PRELIMINARY DESIGN/LICENSING SUBMITTAL

LOW RAILROAD SPUR
PLAN & PROFILE, SH 3

PRIVATE FUEL STORAGE FACILITY
PRIVATE FUEL STORAGE, LLC

STONE & WEBSTER ENGINEERING CORPORATION
DENVER, COLORADO

DRAWING NUMBER 0599602-EY-13-A

0599601

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STANDARD FORM 299 (10/95)
Prescribed by DOI/USDA/DOT
P.L. 96-487 and Federal
Register Notice 5-22-95

APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS AND FACILITIES ON FEDERAL LANDS

FORM APPROVED
OMB NO. 1004-0060
Expires: August 31,1998

FOR AGENCY USE ONLY

NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting.

Application Number

Date Filed

1. Name and address of applicant *(include zip code)*

Private Fuel Storage L.L.C.
PO Box C4010
La Crosse, WI 54602-4010

2. Name, title, and address of authorized agent if different from item 1 *(include zip code)*

John Donnell, Project Director
PO Box 5406
Denver, CO 80217-5406

3. TELEPHONE *(area code)*
303-741-7009

Applicant Private Fuel Storage L.L.C.

Authorized Agent

4. As applicant are you? *(check one)*
   a. ____ Individual
   b. ____ Corporation*
   c. ____ Partnership/Association*
   d. ____ State Government/State Agency
   e. ____ Local Government
   f. ____ Federal Agency
   g. ✓ Limited Liability Corporation

** If checked, complete supplement page*

5. Specify what application is for: *(check one)*
   a. ✓ New authorization
   b. ____ Renewing existing authorization No.
   c. ____ Amend existing authorization No.
   d. ____ Assign existing authorization No.
   e. ____ Existing use for which no authorization has been received *
   f. ____ Other*

** If checked, provide details under item 7*

6. If an individual, or partnership are you a citizen(s) of the United States? ____ Yes ____ No

7. Project description (describe in detail): (a) Type of system or facility, *(e.g., canal, pipeline, road)*; (b) related structures and facilities; (c) physical specifications *(Length, width, grading. etc.)*; (d) term of years needed: (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction: and (h) temporary work areas needed for construction *(Attach additional sheets, if additional space is needed.)*

(a) The right of way (ROW) will be used to construct an intermodal transfer point (ITP) next to the Union Pacific mainline 1.8 miles West of Timpie, Utah, on a parcel of ground within the N½ SE ¼ SE ¼ of Section 12, T.1N., R.8W., SLBM, which is public land administered by the BLM. See attached Figure 2.1-1 drawings 0599601-EY-09 & 0599602-EY-14. The ITP is discussed in more detail in the Environmental Report (ER) at Section 3.2.1.4, "INTERMODAL TRANSFER POINT/SKULL VALLEY ROAD."

(b) The ITP will be use as part of the transportation of spent commercial nuclear fuel to the Private Fuel Storage Facility (PFSF), a temporary spent fuel storage site. The sealed transportation casks will be transferred from rail cars to trucks at the ITP for further shipment to the PFSF via Skull Valley Road. See description of the PFSF in ER Sec. 3.2.1.2, "STORAGE FACILITY."

(c) The ROW is approximately 9 acres of flat land located between the Union Pacific mainline and the I-80 frontage road (2 acres of Union Pacific land will also be used). The facilities will include one metal building (80 ft by 200 ft) and a 30 ft wide by 500 ft long access road connecting the ITP to an existing frontage road. The ITP also includes rail sidings, which are on Union Pacific right of way. See ER Sec. 3.2.1.4, "INTERMODAL TRANSFER POINT/SKULL VALLEY ROAD."

(d) Term of use expected to be 50 years.

(e) During the initial years of operation until the storage facility reaches its capacity of 4000 stored canisters, it is expected that between 100 to 200 shipments of transportation casks will be shipped to the site each year, resulting in less than one rail shipment per week being transferred to trucks at the ITP throughout the year. At the end of the storage facility's life, the 4000 canisters will be shipped from the site to the Department of Energy. See details in ER Section 3.3, "FACILITY OPERATION."

(f) Each rail shipment consists of 3 – 5 transportation casks to be transferred to trucks. See ER Sec. 1.2. "NEED FOR THE FACILITY," for a more detailed discussion of the anticipated shipment volumes.

(g) Construction of the ITP is scheduled to begin at the beginning of 2001 and last about 1 year. See ER Sec. 1.3, "PROPOSED PROJECT SCHEDULE."

(h) All work will be performed within the request ROW boundaries and Union Pacific land.

8. Attach a map covering the area and show location of project proposal See attached Figure 2.1-1 and drawings 0599601-EY-09 and 0599602-EY-14

9. State or Local government approval: ____ Attached ____ Applied for ✓ Not Required

(Continued next page)

10. Nonreturnable application fee: ___ Attached ___ Not required

11. Does project cross international boundary or affected international waterways? ___ Yes ✓ No *(if "yes," indicate on map)*

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested

The PFSLLC has the technical and financial capability to construct, operate, maintain, and terminate the ITP.

Technical Capability

PFSLLC personnel have experience with the design, construction, and operation of rail and truck facilities and spent fuel handling associated with Nuclear Generating Plants and spent fuel storage facilities. The ITP will be operated in accordance with all applicable NRC and DOT requirements. Chapter 9 of the PFSF Safety Analysis Report (SAR) provides a discussion of Technical Qualifications of the PFSF staff to design, construct, and operate the PFSF and related facilities.

Financial Capability

A financing plan has been developed that ensures the PFSLLC has reasonable assurance of obtaining the necessary funds to construct, operate and decommission the PFSF. See details of the financial capabilities in the LA, Sec. 1.6, "FINACIAL QUALIFICATIONS" and Sec. 1.7, "DECOMMISSIONING FUNDING ASSURANCE."

13a. Describe other reasonable alternative routes and modes considered.

Two modes of transporting the casks from the Union Pacific mainline to the PFSF are being pursued. Under the ITP alternative addressed in this application, the casks would be transferred from rail car to truck trailer at the ITP and transported to the PFSF via the Skull Valley Road using trucks However, the preferred approach is by direct rail from the mainline to the PFSF via a proposed new rail spur. The spur alternative is discussed in ER Sec. 3.2.1.5, "LOW CORRIDOR RAIL SPUR."

b. Why were these alternatives not selected?

Both alternatives are viable. The ITP provides an additional mode of transportation to the PFSF. The rail spur is the preferred mode of transportation to the PFSF because it involves less handling of the casks and is therefore more efficient and timely in comparison to the highway. In addition, while there is little traffic on the Skull Valley road, the large tractor/trailers needed to haul the casks will create some level of traffic interference, which will be avoided using the rail spur.

c. Give explanation as to why it is necessary to cross Federal Lands.

The ITP must be located north of the I-80 Interstate Highway in the vicinity of the intersection of the Skull Valley Road and the Union Pacific mainline. The combination of private industry in the area, the interstate right of way, the Great Salt Lake, topographical obstacles, bird refuges, and wetland areas limit the number of viable locations on which the ITP can be constructed. The federal lands located between the Union Pacific mainline and the I-80 frontage road are public lands administered by the BLM. Access from the mianline to the frontage road would be required to cross BLM administered lands.

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. *(Specify number, date, code, or name)*

NRC License Application for the PFSF Independent Spent Fuel Storage Installation (ISFSI)(Docket No. 72-22, dated 6/20/97)

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

The Nuclear Waste Policy Act of 1982, mandated that by 1998, the Department of Energy (DOE) provide permanent disposal sites for spent nuclear fuel from the nation's commercial nuclear power plants. However, the DOE has not met its 1998 deadline and will not be able to provide permanent storage until at least 2010. As a result, utilities have been forced to provide interim storage for their spent fuel beyond 1998. The PFSF allows storage for those plants, which may be unable to increase their own storage space or where increased on-site storage might be economically disadvantageous. The PFSF may be the only alternative to the premature shutdown of a power plant resulting in the loss of electrical power to the public. It also allows nuclear power plants that are permanently shutdown to remove all the spent fuel from the site and decommission. Construction of the ITP is an integral part of the PFSF project. The need for the PFSF is described in ER Sections 1-1, "BACKGROUND," and 1-2, "NEED FOR THE FACILITY."

(a) The cost of the proposed ITP is estimated at $10 million. See ER Sec. 7.3, "COSTS," for a detailed discussion of the costs of the PFSF.

(b) Capital cost of the proposed rail spur is estimated at $25 million.

(c) The proposed ITP is necessary in order to transfer the spent fuel shipping casks from rail car to trucks for further transportation to the PFSF for interim storage and, at the end of such storage, for transferring the spent fuel shipping casks from truck to rail cars for further transportation on the railroad mainline to a permanent storage site. The direct benefit of the PFSF is the continued generation of electric power by the subscribing nuclear power plants. The benefits to the Skull Valley Band of Goshute Indians are steady revenue for the Tribal Government and Band members, jobs for tribal members, increased business at their convenience store during construction and operation, and the potential for new economic development due to the improved transportation access to the reservation. The benefits for Tooele County are cask surcharges, increase in regional employment due to the facility construction and operation, and procurement of materials and supplies for the facility. See ER Sec. 7.2, "BENEFITS," for a discussion of benefits.

(Continued on next page)

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

The proposed ITP is located on previously disturbed public land administered by the BLM that is currently not in use. No relocation of residential, commercial, or industrial structures is anticipated under this alternative. There are no wetlands or other environmentally sensitive areas near the ITP and access road. Demographic impacts will be minimal. See ER Sec. 4.3.1, "EFFECTS ON GEOGRAPHY, LAND USE, AND DEMOGRAPHY," for details.

Minor short-term employment will result from construction activities associated with the ITP. These activities will utilize a small local labor force commuting daily to the project area and will not require relocation. Therefore it is anticipated that no adverse impacts on socioeconomic resources will result from these activities. Operationally, the infrequent transport of casks along Skull Valley Road will have no adverse socioeconomic impacts. See ER Sec. 4.3.6, "EFFECTS ON SOCIOECONOMIC RESOURCES," for details.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.

(a) There will be minor air quality impacts resulting from construction of the ITP consisting of fugitive dust and diesel emissions. Similarly, the effects on air quality from cask transport between the ITP and the PFSF will be minor and will consist mainly of diesel emissions from the heavy haul trucks that will make 3-5 round trips per week. Impacts to residences is insignificant. See ER Sec. 4.3.3, "EFFECTS ON AIR QUALITY," for more details.

(b) There will not be any significant impacts to the scenic environment. The existing area primarily consists of disturbed and developed areas (i.e., UP mainline and I-80 Interstate highway, and nearby industrial plants. See ER Sec. 4.3.8, "EFFECTS ON REGIONAL HISTORICAL, CULTURAL, SCENIC, AND NATURAL FEATURES," for more details.

(c) There are no existing surface water bodies near the ITP. Utilizing the ITP frontage road to accommodate heavy haul vehicles is judged to have no additional impact on the existing hydrological resources along the road right-of-way. See ER Sec. 4.3.4, "EFFECTS ON HYDROLOGICAL RESOURCES," for details.

(d) There are no existing surface water bodies near the ITP. The ITP will be designed with gentle slopes to control runoff and erosion. See ER Sec. 4.3.4, "EFFECTS ON HYDROLOGICAL RESOURCES," for details.

(e) It is expected that 3-5 round trips per week will be required for the heavy haul transportation of casks from the ITP. The heavy haul tractor/trailer will travel at approximately 20 mph resulting in a sound level, 50 feet from the frontage road, of 85 dBA. This is similar to a conventional tractor-trailer at normal highway speeds, however, the duration of the noise will be longer due to the slower speed. Due to the infrequency of these trips and because of the undeveloped nature of the frontage road and Skull Valley Road, no significant noise impacts are anticipated from this minor increase in sound levels. See ER Sec. 4.3.7, "EFFECTS OF NOISE AND TRAFFIC," for details.

(f) About 11 acres of land (9 acres of public land and 2 acres of Union Pacific) will be disturbed at the ITP for the building, access road, and rail sidings. In general, the small amount of vegetation lost will be a minor impact as much of this land is composed of common habitat types, such as desert shrub/saltbush. See ER Sec. 4.3.2, "EFFECTS ON ECOLOGICAL RESOURCES," for details.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

(a) Since the proposed ITP is at a previously disturbed site and is surrounded by developed features, effects to wildlife will be minimal. See ER Sec. 4.3.2, "EFFECTS ON ECOLOGICAL RESOURCES," for details.

(b) Due to the location, no effects to marine mammals will occur.

19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6901 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCIA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

Spent commercial nuclear reactor fuel will be transported within the ITP right-of-way. The spent fuel is safely packaged in shipping casks licensed by the NRC under 10 CFR 71, "Packaging and Transportation of Radioactive Material," transported in accordance with 49 CFR 173, "Shippers General Requirements for Shipments and Packages" and 49 CFR 174, "Carriage by Rail," and physically protected in accordance with 10 CFR 73, "Physical Protection of Plants and Materials."

(Continued on next page)

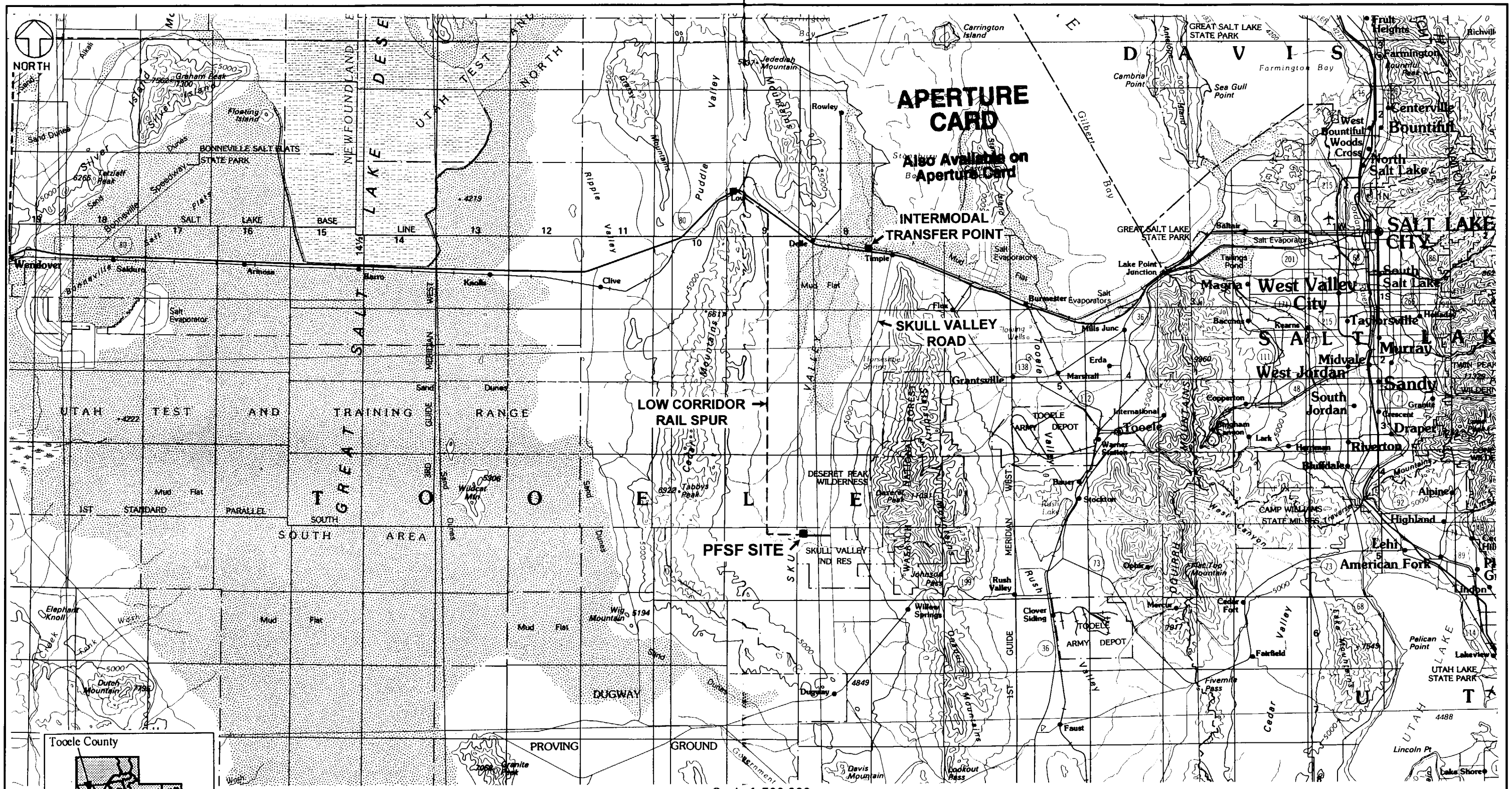
20. Name all the Department(s)/Agency(ies) where this application is being filed.

Department of Interior / Bureau of Land Management

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant	Date
John C. Tunnell for [signature]	8-28-98

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.



Scale 1:500 000

1 inch equals approximately 8 miles

10 0 10 20 30 40 Miles

10 0 10 20 30 40 50 Kilometers

Contour Interval 500 feet

National Geodetic Vertical Datum of 1929

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Figure 2.1-1

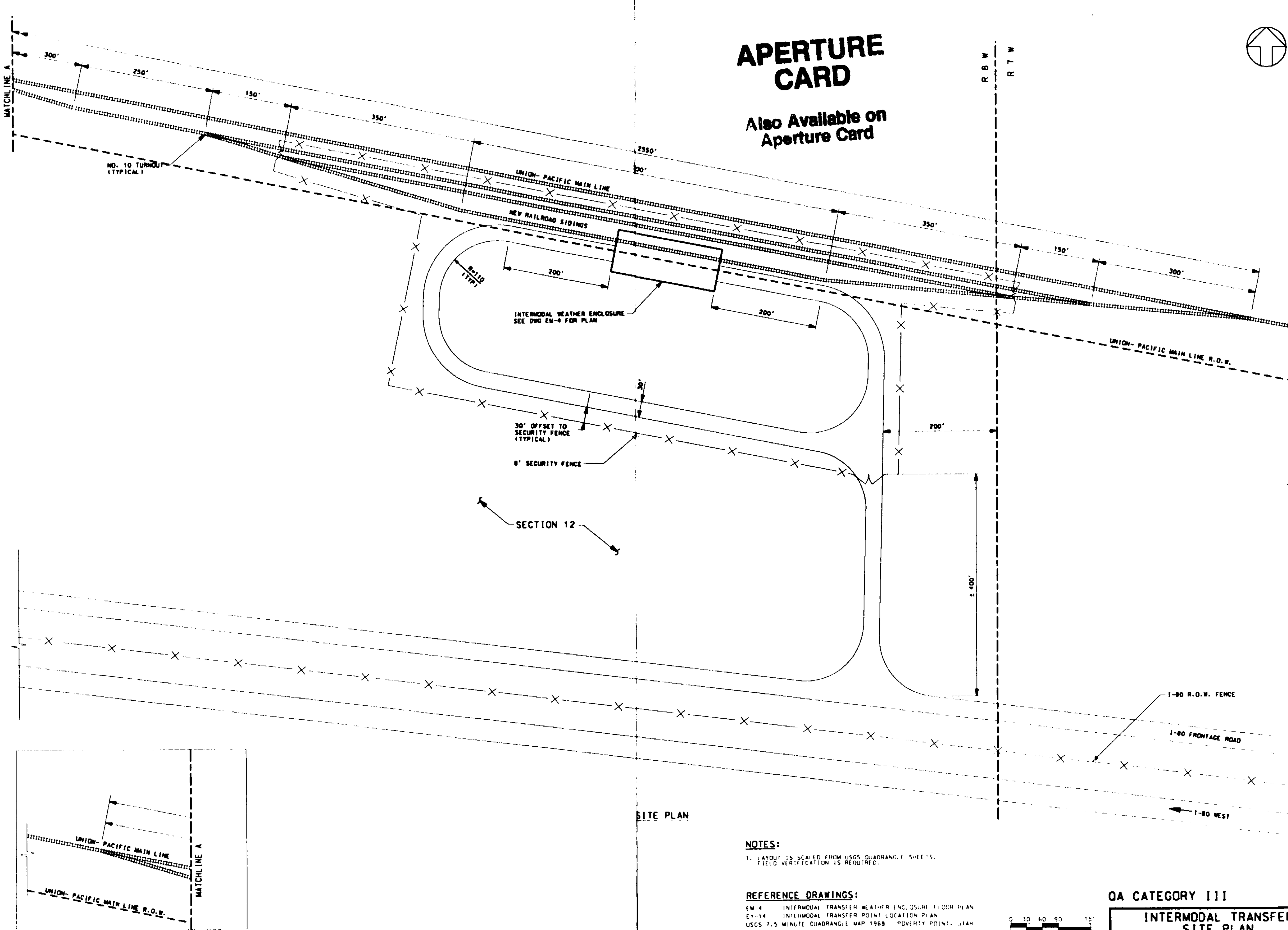
REGIONAL LOCATION MAP

PRIVATE FUEL STORAGE FACILITY
ENVIRONMENTAL REPORT

Revision 1

APERTURE CARD

Also Available on Aperture Card



SITE PLAN

NOTES:

1. LAYOUT IS SCALED FROM USGS QUADRANGLE SHEETS. FIELD VERIFICATION IS REQUIRED.

REFERENCE DRAWINGS:

EW-4 INTERMODAL TRANSFER WEATHER ENCLOSURE FLOOR PLAN
EY-14 INTERMODAL TRANSFER POINT LOCATION PLAN
USGS 7.5 MINUTE QUADRANGLE MAP 1969 POVERTY POINT, UTAH

QA CATEGORY III

INTERMODAL TRANSFER
SITE PLAN
GENERAL ARRANGEMENT

PRIVATE FUEL STORAGE FACILITY
PRIVATE FUEL STORAGE, LLC

STONE & WEBSTER ENGINEERING CORPORATION
DENVER, COLORADO

DRAWING NUMBER 0599601-EY-9-B

ISSUED FOR PRELIMINARY DESIGN/ LICENSING SUBMITTAL.

ISSUED FOR PRELIMINARY DESIGN/ LICENSING SUBMITTAL. REVISED LOCATION AND ARRANGEMENT.

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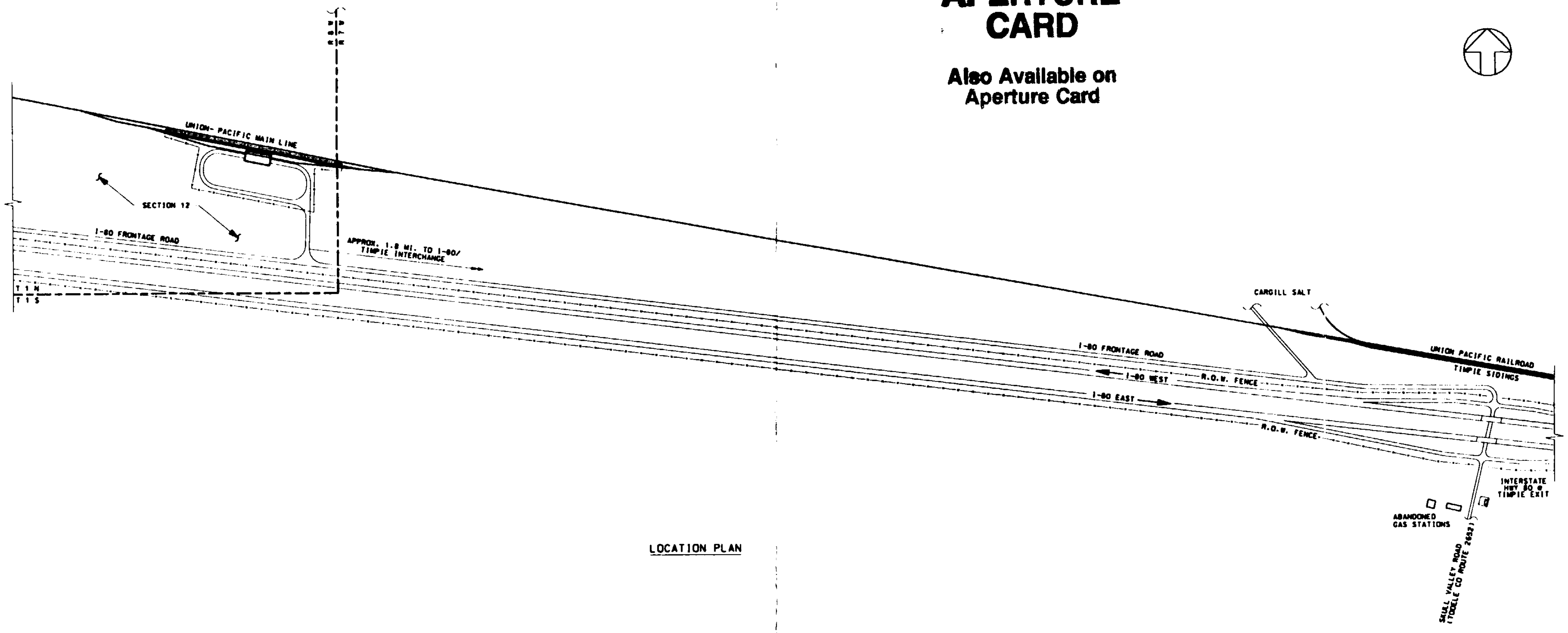
APERTURE CARD

Also Available on Aperture Card



LOCATION PLAN

NOTES:

1. LAYOUT IS SCALED FROM USGS QUADRANGLE SHEETS. FIELD VERIFICATION IS REQUIRED.

REFERENCE DRAWINGS:

EM-4 INTERMODAL TRANSFER WEATHER ENCLOSURE FLOOR PLAN
USGS 7.5 MINUTE QUADRANGLE MAP 1968 - POVERTY POINT, UTAH
USGS 7.5 MINUTE QUADRANGLE MAP 1985 - TIMPIE, UTAH
EY-9 INTERMODAL TRANSFER SITE PLAN GENERAL ARRANGEMENT

QA CATEGORY III

0 100 200 300 500
SCALE: 1" = 200'-0"

ISSUED FOR PRELIMINARY DESIGN/ LICENSING SUBMITTAL.

INTERMODAL TRANSFER POINT
LOCATION PLAN

PRIVATE FUEL STORAGE FACILITY
PRIVATE FUEL STORAGE, LLC

STONE & WEBSTER ENGINEERING CORPORATION
DENVER, COLORADO

DRAWING NUMBER 0599602-EY-14-A

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