

72-22

Private Fuel Storage, LLC

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

February 10, 1999

Director
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**PROPRIETARY RESPONSES TO REQUEST FOR ADDITIONAL INFORMATION
PRIVATE FUEL STORAGE FACILITY
DOCKET NO. 72-22 / TAC NO. L22462
PRIVATE FUEL STORAGE L.L.C.**

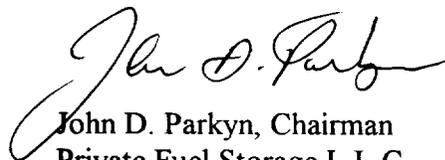
- References: 1) NRC Letter, Delligatti to Parkyn, Request for Additional Information, dated December 10, 1998
2) PFSLLC Letter, Parkyn to Director, Office of Material Safety and Safeguards, Responses to Request for Additional Information, dated February 10, 1999

Please find enclosed Private Fuel Storage responses to the NRC Request for Additional Information (Reference 1). The enclosed responses contain proprietary information. Non-proprietary RAI responses are being submitted under separate cover (Reference 2).

The attached affidavit provides Private Fuel Storage reasons for requesting that the NRC treat the enclosed material as proprietary in accordance with 10 CFR 2.790.

If you have any questions regarding this response, 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.

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Enclosures

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Director, Office of Nuclear Material Safety and Safeguards

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Copy to: Ms. Denise Chancellor, Esq. - State of Utah
Mr. Mark Delligatti - U.S. NRC
Mr. John Donnell - Private Fuel Storage
Mr. Jay Silberg, Esq. - Shaw, Pittman, Potts & Trowbridge
Mr. Sherwin Turk - U.S. NRC
Mr. Scott Northard - Private Fuel Storage
Mr. Asadul H. Chowdhury, Ph.D. - CNWRA
Mr. Murray C. Wade - Oak Ridge National Laboratory

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

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

Affidavit of John D. Parkyn
Pursuant to 10 CFR 2.790

CITY OF LA CROSSE)	
)	SS:
STATE OF WISCONSIN)	

John D. Parkyn, being duly sworn, states as follows:

1. I am Chairman of the Board of Private Fuel Storage L.L.C. ("PFS"), a limited liability company organized and existing under the laws of the State of Delaware with its principle office located in La Crosse, Wisconsin. In that capacity, I am responsible for the operational and managerial matters of PFS.

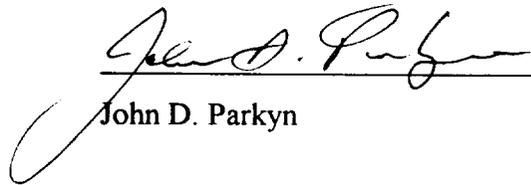
2. PFS is filing with the NRC a response to a Request for Additional Information, dated February 10, 1999 (TAC NO. L22462) regarding PFS' application for a license to construct and operate an independent spent fuel storage installation on the reservation of the Skull Valley Band of Goshute Indians. Some of the information contained in PFS' response is sensitive proprietary commercial and financial information that could cause great harm to PFS if it were made publicly available. Accordingly, PFS requests the NRC to withhold this information, developed and owned by PFS, from public disclosure pursuant to 10 C.F.R. 2.790 of its regulations. This affidavit supplies the reasons why this information should be withheld from public disclosure as required by the regulation.

3. The complete unredacted version of PFS' response containing the sensitive, proprietary commercial and financial information for which PFS requests the Commission to treat as proprietary and to withhold from public disclosure is attached to this affidavit

4. I am familiar with the sensitive commercial and financial information contained in PFS' response (Attachment to this affidavit). I am authorized to speak to PFS' practice of maintaining such information proprietary and the harm that would befall PFS if it were publicly disclosed.

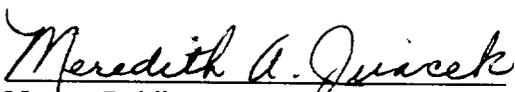
5. PFS' response (Attachment to this affidavit) contains detailed cost data associated with the construction and operation of the Private Fuel Storage Facility. This information is information of the type customarily held in confidence by PFS, and this information is so held. PFS does not disclose this type of information to the public and it is not available from public sources. The rational basis for not disclosing this type of information is that the information is commercially sensitive to the conduct of PFS' business, i.e., the development and operation of an independent spent fuel storage facility, and its disclosure to competitors and customers could cause PFS substantial competitive harm. If the information contained in PFS' response (Attachment to this affidavit) became available to PFS' competitors or customers (both current and potential), those parties would learn of sensitive cost information which could be used against PFS in the competition for customers or negotiation of contracts for services. Such a result would place PFS at a significant competitive disadvantage in negotiations with potential customers, would provide potential competitors with competitively advantageous information, and cause PFS substantial commercial harm.

6. Accordingly, the information included in PFS' response attached to this affidavit is being transmitted to the Commission in confidence under the provisions of 10 C.F.R. 2.790 with the understanding that it will be received and held in confidence by the Commission and withheld from public disclosure.



John D. Parkyn

Sworn to before me this ^d 9 day of February 1999



Notary Public Meredith A. Jiracek
State of Wisconsin
My Commission Expires: 7/22/2001