

RAS 3261

STATE OF UTAH  
OFFICE OF THE ATTORNEY GENERAL

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USNRC



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OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

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Chief of Staff

KIRK TORGENSEN  
Chief Deputy - Criminal

July 25, 2001

Emile L. Julian, Assistant for  
Rulemakings and Adjudications  
Rulemakings and Adjudications Staff  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
11555 Rockville Pike, One White Flint North  
Mail Stop: O16G15  
Washington, D.C. 20555

Re: In the Matter of Private Fuel Storage, LLC, Docket 72-22

Dear Mr. Julian;

Enclosed are the original signature pages, with two copies of each, from the following declarations:

1. Dr. Frank P. Howe, the faxed version of which was filed in conjunction with State of Utah's Opposition to Applicant's Motion for Summary Disposition of Utah Contention DD - Ecology and Species, dated July 19, 2001; and
2. Don A. Ostler, P.E., the faxed version of which was filed in conjunction with State of Utah's Response and Opposition to PFS's Motion for Summary Disposition of Contention Utah O - Hydrology, dated July 19, 2001.

Please contact me with any questions at (801) 366-0287. Thank you.

Sincerely,



Jean Braxton,  
Legal Assistant

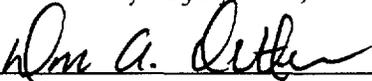
Enclosure: as stated  
cc: PFS Docket 72-22-ISFSI Service List, without enclosure

Template = SECY-018

SECY-02

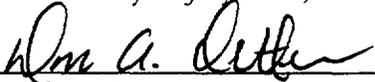
34. The DEIS fails to adequately address the need, or lack thereof, to monitor water quality at or near the proposed facility, for the purpose of determining if the facility is in fact affecting water quality. Various types of hazardous waste treatment, storage and disposal facilities must have extensive groundwater monitoring systems. Even corner gasoline service stations are required to have some type of groundwater monitoring systems to comply with their release detection requirements. In my professional opinion, it is not only reasonable, it is essential, that the PFS nuclear waste facility have in place groundwater monitoring to monitor water quality.

Executed this 19<sup>th</sup> day of July 2001,

By   
Don A. Ostler, P.E.

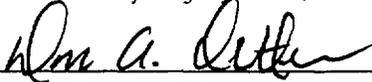
34. The DEIS fails to adequately address the need, or lack thereof, to monitor water quality at or near the proposed facility, for the purpose of determining if the facility is in fact affecting water quality. Various types of hazardous waste treatment, storage and disposal facilities must have extensive groundwater monitoring systems. Even corner gasoline service stations are required to have some type of groundwater monitoring systems to comply with their release detection requirements. In my professional opinion, it is not only reasonable, it is essential, that the PFS nuclear waste facility have in place groundwater monitoring to monitor water quality.

Executed this 19<sup>th</sup> day of July 2001,

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Don A. Ostler, P.E.

34. The DEIS fails to adequately address the need, or lack thereof, to monitor water quality at or near the proposed facility, for the purpose of determining if the facility is in fact affecting water quality. Various types of hazardous waste treatment, storage and disposal facilities must have extensive groundwater monitoring systems. Even corner gasoline service stations are required to have some type of groundwater monitoring systems to comply with their release detection requirements. In my professional opinion, it is not only reasonable, it is essential, that the PFS nuclear waste facility have in place groundwater monitoring to monitor water quality.

Executed this 19<sup>th</sup> day of July 2001,

By   
Don A. Ostler, P.E.

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

Dated this 19<sup>th</sup> day of July, 2001.

By:   
Frank P. Howe, PhD  
Non-Game Avian Program Coordinator  
Utah Division of Wildlife Resources  
Utah Department of Natural Resources

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

Dated this 19<sup>th</sup> day of July, 2001.

By:

A handwritten signature in black ink, appearing to read "Frank P. Howe", written over a horizontal line.

Frank P. Howe, PhD  
Non-Game Avian Program Coordinator  
Utah Division of Wildlife Resources  
Utah Department of Natural Resources

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Frank P. Howe, PhD

Non-Game Avian Program Coordinator

Utah Division of Wildlife Resources

Utah Department of Natural Resources