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ADJUDICATIONS STAFF

Nuclear Regulatory Commission (NRC)

Atomic Safety and Licensing Board

In re: Private Fuels Storage, LLC, Applicant.	**Case No.: Dockett No. 72-22-ISFSI** **ASLBP No. 97-732-02-ISFSI** **Affidavit of Mr. Gerald F. Pease Jr.**

I, GERALD F. PEASE, JR., being duly sworn, state, based on personal knowledge and information made known to me in the course of my employment with the Air Force, as follows:

1. I am a member of the Senior Executive Service and serve as Associate Director for Ranges and Airspace, Directorate of Operations and Training, Office of the Deputy Chief of Staff for Air and Space Operations, Headquarters United States Air Force, Washington, D.C.

2. I am responsible for developing strategies and management policies to establish, modify and maintain Air Force ranges, special use airspace, and other airspace designed for military use and have been authorized by the Secretary of the Air Force to make this statement on behalf of the United States Air Force.

3. Prior to my retirement from active duty as a Colonel in the Air Force in 2000, I served as a career fighter pilot with more than 2,900 flying hours in F-4C/E and F-15A/C aircraft. Additionally, my last assignment on active duty was as Chief, Ranges and Airspace Division, Headquarters U.S. Air Force, Washington, D.C from July 1993 - September 2000.

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SECY-02

4. I am familiar with both the use and importance of the Utah Test and Training Range (UTTR) to the Air Force test and training mission. The UTTR is a vital and irreplaceable part of the test and training infrastructure of the Department of Defense (DoD). The UTTR is used for operational training and testing of new systems. It is also used for missile motor storage, testing, and destruction. These activities are increasingly impacted by limitations, restrictions, and conditions on the use of lands, airspace, and waters which have been set aside for DoD test, training and operations. These restrictions to existing military use are a continuing concern to the Air Force for all of our ranges and special use airspace. The UTTR has, until recently, been insulated from many of the conflicts associated with competing demands found in other areas.

5. Located in northwestern Utah and eastern Nevada, the UTTR is primarily surrounded by public domain land including mountains generally running north and south rising from 8,000 to 12,000 feet Mean Sea Level (MSL), separated by valleys with elevations of approximately 4,500 MSL. The UTTR's location, size, and geography make it unique. It has the largest overland special use airspace measured from the surface or near surface, within the continental United States (207 by 92 nautical miles). Of the total 12,574 square nautical miles comprising this area, 6,010 are designated as Restricted Areas and 6,564 are designated Military Operations Areas. The airspace is situated over 2,624 square miles of DoD-managed land, of which 1,490 square miles are managed by the Air Force. The US Army manages the remainder at Dugway Proving Ground. Airspace boundaries do not coincide with the boundaries of the DoD-managed land beneath this airspace.

Much of the UTTR airspace is over public land managed by the Bureau of Land Management (BLM), and some Air Force equipment is located on BLM land. A map showing the location and extent of the UTTR is attached as Attachment 1 to this statement.

6. Restricted Area airspace is a form of special use airspace in which non-participating flight, while not wholly prohibited, is restricted. Within UTTR, Restricted Areas are divided into "working sectors" to permit efficient scheduling and safe use of different parts of the range at the same time. These divisions were made in cooperation with the principal range users and were designed to meet their needs while permitting more extensive use of the range. Whenever possible, sector boundaries coincide with natural features readily distinguishable from the air.

7. Military Operations Areas (MOA) are another form of special use airspace, less restrictive than restricted areas, which are integral parts of the UTTR. MOAs consist of airspace of defined vertical and lateral limits established for the purpose of separating certain military training activities from other commercial and civilian flight activity. Private Fuel Storage, LLC (PFS) proposes a temporary storage facility for spent, high-level radioactive fuel from commercial nuclear power plants. This facility would be sited at Skull Valley Goshute Reservation which is located beneath the Sevier B and D

8. Sevier B is a hook-shaped MOA that joins UTTR restricted airspace on the east and south sides of the UTTR. Sevier B is a block of airspace that extends from 100 feet above ground level to 9,500 feet above ground level. Sevier D overlays Sevier B at altitudes of 9,500-17,999 feet above ground level. (See Attachment 1.)

9. The Sevier MOAs are used primarily as transition airspace for entering and exiting the UTTR restricted airspace where the target complexes are located. While air-to-air training is not normally conducted in the Sevier MOAs, pilots do use the airspace for maneuvering in order to prepare for the effects of increased gravitational forces during operational missions before entering the restricted airspace. Additionally, the Sevier B MOA is used for low-altitude training (generally 300 feet to 5,000 feet above ground level) for flights entering the UTTR.

10. The Sevier B MOA includes the narrow corridor over the proposed storage facility site and is particularly critical to range operations. The Air Force requires unrestricted access to this corridor in the Sevier MOAs because it is used primarily as training airspace prior to entering and after exiting the UTTR restricted airspace where the target complexes are located. Approximately 70-80% of all fighter/bomber training missions use the southern portion of the UTTR, and virtually all of those missions use this particular corridor to enter the southern range complex from the north. If military aircraft were restricted from flying in the vicinity of the storage facility, it would effectively shut down use of the northern portion of Sevier B, forcing these missions instead to transit around the range through a non-training airspace corridor to enter and exit from the west. This would delay tactical maneuvering and subsequently reduce the effective training for each sortie flown to the southern portion of the UTTR.

11. While the majority of aircraft using the Sevier MOAs are F-16s from Hill AFB, virtually every fighter and bomber aircraft within the Air Force and Navy inventories utilizes the MOA. The most recent usage report to the Federal Aviation

Administration (FAA) for fiscal year 2001 for the Sevier B MOA is attached as to this statement (Attachment 2). The report indicates F-16, F-15, B-52, B-1, C-130, F-14, F-18, F-117A, A-10 and B-2 aircraft flew more than 5,000 air operations on the 328 days the Sevier B MOA was scheduled for use. Additionally, the fiscal year 2001 utilization report for the Sevier D MOA is also attached to this statement (Attachment 3). There were 320 air operations during 43 days the Sevier D MOA was scheduled for use, demonstrating the relative importance of the lower altitude structure of Sevier B MOA.

12. Approximately 50% of the aircraft using the Sevier MOAs are armed with air-to-ground munitions. The array of weapons expended on the UTTR reflects a cross section of many of the conventional weapons in the Air Force inventory, from practice bombs to laser guided munitions capable of standoff delivery. While the majority of the sorties carry small practice bombs, a number of sorties are armed with live munitions up to and including 2,000-pound laser guided munitions.

13. To date, the Air Force has neither endorsed the siting of the PFS facility at Skull Valley nor reached any conclusion about it. However, degradation of our operational test and training capabilities would be unacceptable. Consequently, any proposed location must not restrict current UTTR operations. The Air Force interest is to ensure continued testing and training activities at this vital facility. Therefore, the Air Force opposes any restriction that might result from the siting of the proposed PFS facility that would impair our ability to test equipment or train our military men and women on the land or in the airspace associated with the UTTR.

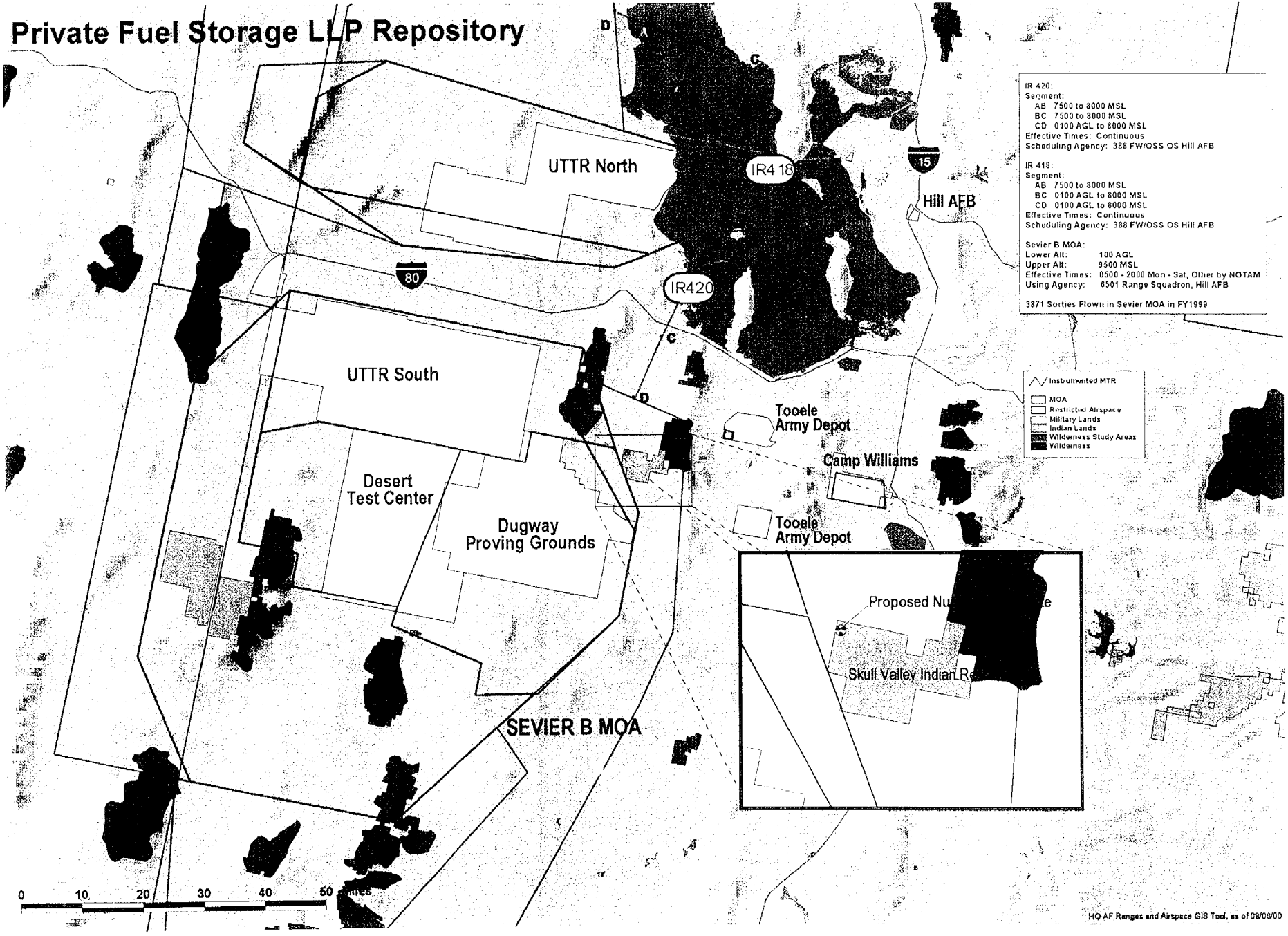
GERALD F. PEASE, JR., SES

Subscribed and sworn before me on
this 23 day of April, 2002.

Signature

Kenneth M. Theurer, Maj USAF
Name, Grade, Organization AFLSA/JACE

An officer acting pursuant to 10 U. S. C. 1044a and AFI 51-504


Private Fuel Storage LLP Repository
UTTR North
UTTR South
Desert
Test Center
Dugway
Proving Grounds
SEVIER B MOA
IR4 18
IR420
Hill AFB
Tooele
Army Depot
Camp Williams
Tooele
Army Depot
Proposed Nu
Skull Valley Indian Re
80
15
IR 420:
Segment:
AB 7500 to 8000 MSL
BC 7500 to 8000 MSL
CD 0100 AGL to 8000 MSL
Effective Times: Continuous
Scheduling Agency: 388 FW/OSS OS Hill AFB
IR 418:
Segment:
AB 7500 to 8000 MSL
BC 0100 AGL to 8000 MSL
CD 0100 AGL to 8000 MSL
Effective Times: Continuous
Scheduling Agency: 388 FW/OSS OS Hill AFB
Sevier B MOA:
Lower Alt: 100 AGL
Upper Alt: 9500 MSL
Effective Times: 0500 - 2000 Mon - Sat, Other by NOTAM
Using Agency: 6501 Range Squadron, Hill AFB
3871 Sorties Flown in Sevier MOA in FY1999
Instrumented MTR
MOA
Restricted Airspace
Military Lands
Indian Lands
Wilderness Study Areas
Wilderness
0 10 20 30 40 50 miles
HQ AF Ranges and Airspace GIS Tool, as of 09/06/00

ATCH 1

5 November 2001

MEMORANDUM FOR AIR FORCE REPRESENTATIVE (ANM-900)
FAA Northwest Mountain Region
1601 Lind Avenue, S.W.
Renton WA 98055-4056

FROM: 388 RANS/EM
5948 Southgate Avenue, Suite 211
Hill AFB UT 84056-5232

SUBJECT: Annual Military Operating Area Usage Report

1. Sevier B Military Operating Area

2. Period of Report: 1 October 2000 through 30 September 2001

3. 388 RANS DSN 777-6926

4. N/A

5. Aircraft Activities:
(a) Aircraft Type: F16, F15, B52, B1,C130, F14, F18, F117A, A-10 and B2
(b) Activities Conducted: Air-to-Air training, major exercise deployments, Air to Ground.
(c) Maximum Altitude/Flight Level: 9,500 MSL
(d) Supersonic flight not authorized

6. Artillery/Mortar/Missile Activities:
(a) Type of Activities: Cruise Missile, advanced cruise missile, unmanned vehicles
(b) Maximum Ordinate: 9.500 MSL

7. N/A

8. Utilization Information:
Total number of Air Operations: 5046
(a.) Total number of day's area was:
Scheduled: 328
Activated: 328
Utilized: 328
(b.) Total number of hour's area was:
Scheduled: 4646
Activated: 4646
Utilized: 4564

9. Joint Use Information:
Total hours released: 4114

JET TRAINOR
388 FW Airspace Manager

ATCH 2

5 November 2001

MEMORANDUM FOR AIR FORCE REPRESENTATIVE (ANM-900)
FAA Northwest Mountain Region
1601 Lind Avenue, S.W.
Renton WA 98055-4056

FROM: 388 RANS/EM
5948 Southgate Avenue, Suite 211
Hill AFB UT 84056-5232

SUBJECT: Annual Military Operating Area Usage Report

1. Sevier D Military Operating Area

2. Period of Report: 1 October 2000 through 30 September 2001

3. 388 RANS DSN 777-6926

4. N/A

5. Aircraft Activities:
(a) Aircraft Type: F16, F15, B52, B1,C130, F14, F18, F117A, A-10 and B2
(b) Activities Conducted: Air-to-Air training, major exercise deployments, Air to Ground.
(c) Maximum Altitude/Flight Level: 17,999 MSL
(d) Supersonic flight not authorized

6. Artillery/Mortar/Missile Activities:
(a) Type of Activities: Cruise Missile, advanced cruise missile, unmanned vehicles
(b) Maximum Ordinate: 17,000 MSL

7. N/A

8. Utilization Information:
Total number of Air Operations: 320
(a.) Total number of day's area was:
Scheduled: 43
Activated: 43
Utilized: 43
(b.) Total number of hour's area was:
Scheduled: 258
Activated: 258
Utilized: 258

9. Joint Use Information:
Total hours released: 8502

JET TRAINOR
388 FW Airspace Manager

ATCH 3