

UNITED STATES OF AMERICA
BEFORE THE
NUCLEAR REGULATORY COMMISSION

Private Fuel Storage, a Limited Liability
Company;

(Independent Spent Fuel Storage
Installation).

Docket No. 72-22
Affidavit of Intervenor

Ohngo Gaudadeh Devia

Affidavit of Garth J. Bear

I, **Garth J. Bear**, after being duly sworn on oath, state and dispose as follows:

1. My name is Garth J. Bear. I am a member of the Skull Valley Goshute Tribe. I have lived on the Skull Valley Goshute Reservation for twenty-five (25) years, and now reside at a site which is approximately four-thousand (4000) feet from the proposed Interim Spent Fuel Storage Installation ("ISFSI") site. My mailing address is Skull Valley Reservation, Grantsville, Utah 84029. Since the reservation does not have street addresses I will describe my homesite using existing landmarks. I live approximately one-half (1/2) mile west of the road known as Skull Valley Road or also as Federal Aid Secondary Road 108. My home is directly east of the ISFSI site. My home is the closest home to the proposed site. I live by myself.
2. I am the Vice-chair of Ohngo Gaudadeh Devia ("organization"). I was appointed Vice-chair in May of 1997. I helped organize Ohngo Gaudadeh Devia to oppose the siting of the specific high level nuclear waste storage facility on the Skull Valley Goshute reservation. I, as well as the organization have devoted much of our time and energy to organizing, educating ourselves and others, and participating in meetings regarding the siting of this facility on the reservation.
3. I as well as the organization are concerned that the building of this facility will cause great harm to personally, to our families and our friends on the Goshute reservation. I am learning about nuclear waste and through the organization am hoping to educate others about the dangers. I and the organization have made a determination that siting a high level nuclear waste facility on the reservation would be dangerous. We are both concerned that a release of radioactive material would cause grievous injury to the people and the land. I am very concerned that the property value of my home will decrease as well as the property of others living on the reservation. I and the organization are very concerned about the decrease in property values of the area that will result should this facility be built.

4. I own my own home which is only four-thousand (4000) feet from the proposed nuclear waste facility. The economic value of my home is approximately thirty thousand (\$30,000.00) dollars. I am very sure that should this facility be built that property devaluation will be so great that my home would be worth virtually nothing.
5. Water resources are very scarce on the reservation because of the very arid climate. Our water is supplied by a free standing well on my property which comes from water run off from the mountains. I fear contamination by the accidental release of radioactive material from the proposed facility that would poison the only source of water I have.
6. The possible release of radioactive material that could come from an accidental or other distribution of nuclear waste into the air will endanger me.
7. Adequacy of emergency first responders/fire stations, etc. are of great concern. Presently the only fire facility that is present on the reservation is a volunteer fire crew that is in no way prepared to deal with a nuclear emergency. The closest ambulance service is over 55 miles from Tooele City to the site. This is mountain driving so the time may be well over two (2) hours. Response time will be very slow if a nuclear emergency should happen. There are no fire hydrants close to my home.
8. I live within one half (1/2) mile of the road known as Skull Valley Road upon which transport of nuclear waste will be carried out. A transportation accident could cause me serious injury. My health could be gravely effected by this accident since I live so close to the transportation route. I may live much closer to the road that goes directly into the facility. I don't know the exact location because it hasn't been built. But since my home is so close to the facility, transportation and the loading and unloading of the casks is a great concern to me. It is my understanding that if an accident is going to occur the probability of it occurring during one of these times is great. I and the organization fear that an accident at this stage will endanger my safety and health along with everyone within a five (5) mile radius.
9. The organization has decided to request a hearing and petition for leave to intervene in the licensing application before the Nuclear Regulatory Commission. I personally authorize the organization Ohngo Gaudadeh Devia to represent me and my interests in this proceeding.
10. That the routine operation of the proposed storage facility and its associated transportation activities will have adverse impacts upon myself and my community. I am very concerned that the facility will disrupt the way of life that I now know. Presently, the area in which I live is relatively quiet. I fear that once the facility is operational there will be much more traffic, noise from the traffic, and that these effects will have a negative impact upon my now quiet way of life.
11. I fear that in other ways my sense of well being will be disrupted. Presently, I live with everyday fears for myself, my community and others that I am concerned about. I believe

that the psychological presence of the facility will weigh greatly into the fears that I and my children will have to live with.

12. I believe that there are other ways in which I will be impacted by the facility. It is my intent to live what I believe to be a traditional Goshute way of life. The presence of the additional personnel, the presence of many more vehicles, trains and/or trucks, security personnel, changes in traffic patterns etc. will have a negative impact upon my traditional way of life. Living with the fear that my ancestral homeland may become nothing more than a nuclear wasteland weighs heavy on my mind. I fear that the land of my ancestors will not be the land of my tribes children's children because of the nuclear waste that will be brought upon the land and that may forever taint it.
13. Because of the very negative aspects of the facility as portrayed to the outside public, I fear the possibility of threats of violence and racially motivated crimes being imposed upon myself and my family because of the stand that my Tribe has chosen to take. This may be especially true if non-Indian land along the transportation route is condemned to obtain rights-of-way for a new rail spur or transfer facility.

The foregoing affidavit is true and correct to the best of my knowledge based upon information and belief.


Garth J. Bear

Signed and sworn before me on
this 22 day of Nov, 1997.



Notary Public

My commission expires: 6.5.01

