

December 6, 1999

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
Before the Atomic Safety and Licensing Board

In the Matter of )  
 )  
PRIVATE FUEL STORAGE L.L.C. ) Docket No. 72-22  
 )  
(Private Fuel Storage Facility) ) ASLBP No. 97-732-02-ISFSI

**DECLARATION OF JOHN D. PARKYN PURSUANT TO 10 C.F.R. § 2.790  
REGARDING APPLICANT'S PROPRIETARY RESPONSES TO STATE OF  
UTAH'S THIRD AND FOURTH SET OF DISCOVERY REQUESTS**

John D. Parkyn states as follows under penalties of perjury:

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 principal office currently located in La Crosse, Wisconsin. In that capacity, I am responsible for the operational and managerial matters of PFS.

2. PFS is providing to the Commission copies of a Proprietary Version of PFS responses to State of Utah discovery requests entitled "Applicant's Objections and Responses to State of Utah's Fourth Set of Discovery Requests and Supplemental Responses to State of Utah's Third Set of Discovery Requests," dated December 6, 1999, pursuant to the licensing proceeding for the Private Fuel Storage Facility ("PFSF"), an independent spent fuel storage installation, on the reservation of the Skull Valley Band of Goshute Indians.

Some of the information contained in the PFS responses is sensitive proprietary

commercial and financial information that could cause great harm to PFS if it were made publicly available. Accordingly, PFS requests the Commission to withhold this sensitive 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 PFS document containing the sensitive, proprietary commercial and financial information that PFS requests the Commission to treat as proprietary and to withhold from public disclosure is attached to this affidavit. The documents is prominently marked with the statement "Contains Proprietary Information." This PFS documents is being provided to the Commission only pursuant to the Commission's discovery regulations.

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

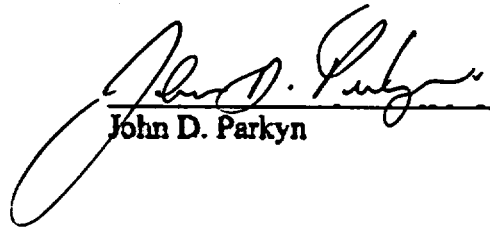
5. The PFS documents attached to this affidavit contain sensitive proprietary information concerning PFS financial and business plans including PFS financial structure, financial viability, potential financial liabilities, corporate agreements, financial agreements, and cost estimates and cost-related strategies for construction, operation and decommissioning of the PFSF.

6. The sensitive, proprietary commercial and financial information contained in the document attached to this affidavit is information of the type customarily held in confidence by PFS, and this information and this document are so held. PFS does not disclose this type of information to the public and it is not available from public sources. This 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 the PFS documents attached to this affidavit became available to PFS's competitors or customers (both current and potential), those parties would learn of sensitive commercial, cost and financial 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.

7. Accordingly, the PFS document 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 they and the information it contains will be received and held in confidence by the Commission and withheld from public disclosure.

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

Executed on December 6, 1999.

  
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John D. Parkyn

**UNITED STATES OF AMERICA  
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**Before the Atomic Safety And Licensing Board**

<b>In the Matter of</b>	)	
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<b>PRIVATE FUEL STORAGE L.L.C.</b>	)	<b>Docket No. 72-22</b>
	)	
<b>(Private Fuel Storage Facility)</b>	)	<b>ASLBP No. 97-732-02-ISFSI</b>

**DECLARATION OF JEFFREY JOHNS**

Jeffrey Johns states as follows under penalties of perjury:


1. I am the Lead Licensing Engineer with Stone & Webster Engineering Corporation (Stone & Webster) for the Private Fuel Storage Facility ("PFSF") project. As the Lead Licensing Engineer for the PFSF, I am responsible for technical and licensing activities for the project.

2. I am duly authorized to verify Applicant's Response to State's Fourth Requests for Discovery; specifically, the response to Requests for Admission Nos. 1, 2 and Interrogatory No. 1 with respect to Utah Contention S.

3. I certify that the statements and opinions in such responses are true and correct to the best of my personal knowledge and belief.

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

Executed on December 6, 1999.

  
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Jeffrey Johns

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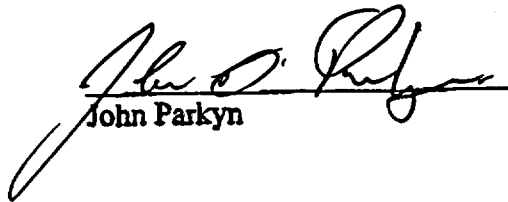
**DECLARATION OF JOHN PARKYN**

John Parkyn states as follows under penalties of perjury:

1. I am the Chairman of Private Fuel Storage, L.L.C. As Chairman of PFS, I am responsible for the operational and managerial matters of PFS.
  
2. I am duly authorized to verify Applicant's Response to State's Fourth Requests for Discovery; specifically, the response to Requests for Admission Nos. 2, 8, and 10-11 and Interrogatories Nos. 2-4 with respect to Utah Contention E and Requests for Admission Nos. 2-3, and 13 and Interrogatories Nos. 2-3 with respect to Utah Contention S. I am also duly authorized to verify Applicant's Supplemental Response to State's Third Requests for Discovery; specifically, the response to Request for Admission No. 5 with respect to Utah S.
  
3. I certify that the statements and opinions in such responses are true and correct to the best of my personal knowledge and belief.

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

Executed on December 6, 1999.

  
John Parkyn