

*Private Fuel Storage, LLC*

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*P.O. Box C4010, La Crosse, WI 54602-4010*

*John D. Parkyn, Chairman of the Board*

March 22, 2000

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D.C. 20555-0001

**SUBMITTAL OF JUNE 1998 PFS BUSINESS PLAN**  
**DOCKET NO. 72-22 / TAC NO. L22462**  
**PRIVATE FUEL STORAGE FACILITY**  
**PRIVATE FUEL STORAGE L.L.C.**

- Reference:
1. PFS Letter, Gaukler to Delligatti, NRC Spent Fuel Project Office, Transmittal of Proprietary ER References, December 18, 1998
  2. PFS Letter, Parkyn to Director Office of Nuclear Material Safety and Safeguards, Response to EIS Request for Additional Information, dated February 18, 1999
  3. PFS Letter, Parkyn to U.S. NRC, License Application Amendment No. 7, dated September 21, 1999
  4. PFS Letter, Parkyn to U.S. NRC, Responses to Second Round EIS Request for Additional Information, dated October 19, 1999
  5. PFS Letter, Donnell to U.S. NRC, EIS Commitment Resolution Letter #2, dated November 19, 1999
  6. PFS Letter, Donnell to U.S. NRC, EIS Commitment Resolution Letter #3 - Proprietary, dated November 19, 1999
  7. PFS Letter, Parkyn to U.S. NRC, License Application Amendment No. 8, dated December 16, 1999
  8. PFS Letter, Donnell to U.S. NRC, EIS Commitment Resolution Letter #4, dated January 26, 2000
  9. PFS Letter, Donnell to U.S. NRC, EIS Commitment Resolution Letter #5, dated February 15, 2000
  10. PFS Letter, Donnell to U.S. NRC, EIS Commitment Resolution Letter #7, dated February 25, 2000

By letter dated December 18, 1998 (Reference 1), Private Fuel Storage provided, at the Staff's request, a copy of its January 1997 Business Plan, Reference 4 to Chapter 7 of the Environmental Report as filed, for use by the Staff and its technical consultants in their review of the Environmental Report and preparation of the Environmental Impact Statement for the PFSF. The PFS business plan is a living document used internally by PFS; changes are captured in draft revisions to the document. In PFS's responses to the NRC's requests for

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additional information (References 2, 4-6, and 8-10), either incorporated into the Environmental Report by recent amendments (References 3 and 7) or to be incorporated subsequently, PFS used more up-to-date cask and other cost information from its June 1998 version of the Business Plan (which has also been produced as part of the discovery in the proceeding before the Licensing Board). Accordingly, PFS is providing the NRC a copy of its June 1998 Business Plan for use in reviewing recent amendments to the Environmental Report and requests for additional information. PFS is providing the June 1998 Plan solely because of its use as a reference to information contained in the Environmental Report, in place of the January 1997 Plan, and will not be providing any future updates to its business plan absent any relevant change to the Environmental Report.

The June 1998 PFS Business Plan being provided to the NRC by this letter is a PFS proprietary document. Accordingly, PFS requests the NRC to withhold it from public disclosure pursuant to 10 C.F.R. § 2.790. I have enclosed an affidavit setting forth PFS's reasons why the NRC should treat the June 1998 PFS Business Plan as sensitive proprietary commercial and financial information that should be withheld from public disclosure pursuant to 10 C.F.R. § 2.790.

If you have any questions concerning this letter, please contact me at 608-787-1236 or Mr. John Donnell, Project Director, at 303-741-7009.

Sincerely,



John D. Parkyn

Enclosure

cc:  
Mark Delligatti  
John Donnell  
Jay Silberg (Without enclosure)  
Sherwin Turk (Without enclosure)  
Scott Northard (Without enclosure)  
Denise Chancellor (Without enclosure)

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Richard E. Condit (Without enclosure)  
John Paul Kennedy (Without enclosure)  
Joro Walker (Without enclosure)

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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In the Matter of )  
 )  
PRIVATE FUEL STORAGE L.L.C. ) Docket No. 72-22 ISFSI  
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 )  
(Private Fuel Storage Facility) )  
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**Affidavit of John D. Parkyn**  
**Pursuant to 10 C.F.R. § 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 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 NRC staff and its technical consultant a copy of PFS's Business Plan dated June 1998 to facilitate the NRC staff's review of the PFS license application to construct and operate the Private Fuel Storage Facility ("PFSF"), an independent spent fuel storage installation to be located on the reservation of the Skull Valley Band of Goshute Indians. Much of the

information contained in the June 1998 PFS Business Plan being provided to the NRC staff and its technical consultant 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 sensitive information, developed and owned by PFS, from public disclosure pursuant to 10 CFR 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 June 1998 PFS Business Plan 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. The document is prominently stamped with the statement "PFS Confidential Information" and is being provided to the NRC staff and its technical consultant only pursuant to their review of the license application for the PFSF and not for any other reason.

4. I am familiar with the sensitive commercial and financial information contained in the June 1998 PFS Business Plan 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.

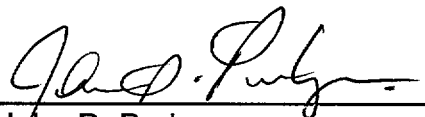
5. The June 1998 PFS Business Plan attached to this affidavit contains sensitive proprietary information concerning the estimated cost to design, license, procure equipment, construct, operate and maintain, and decommission

the PFSF. The attached Business Plan also contains sensitive proprietary information analyzing the economic benefits of the PFSF under different operating scenarios based on the PFS sensitive proprietary cost information.

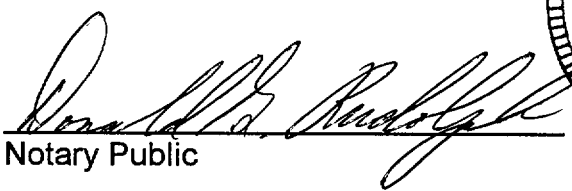
6. The sensitive, proprietary commercial and financial information contained in the June 1998 PFS Business Plan attached to this affidavit is information of the type customarily held in confidence by PFS, and this information and this document are so held. PFS does not disclose this type of information to the public and it is not available from public sources. The rational basis for not disclosing this type of information is that the information is commercially sensitive to the conduct of PFS's 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 June 1998 PFS Business Plan 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 the 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 June 1998 PFS Business Plan 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 the Business Plan and the information it contains will be received and held in confidence by the Commission and withheld from public disclosure.

  
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John D. Parkyn

Sworn to before me this 22nd day of March 2000

  
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Notary Public

