

January 7, 2000

NOTE TO: PFS Service List

FROM: Mark S. Delligatti, Senior Project Manager
U.S. Nuclear Regulatory Commission

SUBJECT: PLEASE RETURN OR DISCARD EARLIER VERSION
OF PFS SER

Due to a collation error, an incorrect version of Chapter 17 was included in the document originally distributed. Please replace that document with the attached one and either return the original version to me or discard it. If you have any questions, I can be reached at 301 415-8518.

Distribution: Docket 72-22 Public SFPO R/F NRC File Center NMSS R/F
*WHodges SFPO SLs *SFlanders STurk, OGC *SWhaley *MWaters
*NOsgood RSullivan, NRR AMcKegney, NRR GBagchi, NRR
CGaskin, FCSS PLain, FCSS BSpitzberg, RIV VEverett, RIV
CHackney, RIV SGagner, OPA SDroggitis, OSP TMadden, OCA
*electronic distribution

OFC:	SFPO	SFPO						
NAME:	MDelligatti	CRChappell						
DATE:	01/07/00	01/07/00						

OFFICIAL RECORD COPY

OFFICE CENTER COPY

DF03



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 15, 1999

JANUARY 4, 2000 -
REVISED IN ITS ENTIRETY TO
CORRECT CHAPTER 17

Mr. John D. Parkyn
Chairman of the Board
Private Fuel Storage, L.L.C.
P.O. Box C4010
La Crosse, WI 54602-4010

**SUBJECT: SAFETY EVALUATION REPORT FOR SYSTEMS NOT DIRECTLY
ASSOCIATED WITH STORAGE CASKS (TAC NO. L22462)**

Dear Mr. Parkyn:

By application dated June 20, 1997, Private Fuel Storage, L.L.C. (PFS), submitted an application to the Nuclear Regulatory Commission (NRC) for a license to operate an away-from-reactor independent spent fuel storage installation (ISFSI) on the reservation of the Skull Valley Band of Goshute Indians, a federally-recognized Indian Tribe. Subsequently, the NRC staff decided that its safety evaluation of the application would be completed in two segments: first, the staff would complete a safety evaluation report (SER) for systems not directly associated with the storage cask systems proposed by PFS for use at the PFS Facility ISFSI (PFSF); and second, the staff would complete an SER which included at least one of the cask systems proposed for use at the PFSF. It was determined that because of the length of time necessary to complete the review, evaluation, and rulemaking associated with cask certification, it might be useful to follow this approach.

Enclosed is the SER for the systems not directly associated with the storage casks chosen for use at the proposed PFSF. As the staff completed its review, it found several areas where PFS had not provided sufficient information for the staff to determine regulatory compliance. The major areas where sufficient information was not provided are (a) the site soil composition and the related issue of demonstrating the stability of the storage pads and foundation of the cask transfer building; and (b) analyses associated with the probability of military airplane crashes at the PFSF. Several meetings were held with PFS to discuss the information that was needed for the staff to complete its evaluation.

The staff's review of the probabilistic seismic hazard analysis (PSHA) submitted by PFS determined that the analysis needed to be revised to reflect the 2000-year return period earthquake. The applicant has submitted a revised analysis. However, the revised analysis was provided to the staff too late for the information to be reviewed in this SER. Therefore, the final conclusion on the PFS seismic analyses is not addressed in this SER. Similarly, a significant amount of information has been provided to the staff by PFS regarding the open items identified at the end of some of the chapters of this SER. However, any such information provided in commitment letters and in the SAR revisions after Revision 3 have not been analyzed for this SER and will be considered in a supplemental SER which will be issued in the Spring of 2000. Provision of additional information to address the open items identified by the staff is, of course, in support of the demonstration of compliance with all applicable regulatory requirements. Such demonstration is the basis for a licensing decision.

As a convenience for the reader, this SER contains chapter headings for all aspects of the licensing review, including the cask-specific chapters not addressed at this time. Because 10 CFR Part 72 is a systems-based and performance-oriented regulation, both cask-specific issues and other issues are sometimes addressed in a single chapter. This reflects a systems approach where the cask directly interfaces with another subsystem or where cask performance and performance of other aspects of the site or facility are related. Chapters in which a majority of the information is cask specific are not addressed at this time. The staff found that making a few findings in a given chapter, while deferring others, could lead to confusion for you and other readers of this SER. PFS must address all identified open items, as well as all applicable regulatory requirements, for the staff to complete its review and issue a supplemental SER on the systems not directly associated with storage casks. As noted above, information related to many of the open items has been provided to the staff and is currently under evaluation. The NRC staff will be available to meet with PFS to discuss these open items, if PFS would like further clarification or discussion.

PFS must provide an update to its Safety Analysis Report (SAR) to include all of the above information. In addition, it must include all responses to the staff's requests for additional information (RAIs). All commitment letters sent to the staff subsequent to the final RAI responses should also be included as an appendix to the revised SAR. This revised SAR must be submitted to the staff by January 18, 2000. Another SER covering the staff's review of systems directly associated with storage casks will be prepared after an amendment to the PFS application reflecting a certified cask system is received.

If you have any questions regarding this letter or the enclosure, please feel free to contact me at (301) 415-8518.

Sincerely,

Mark S. Delligatti, Senior Project Manager
 Licensing Section
 Spent Fuel Project Office
 Office of Nuclear Material Safety
 and Safeguards

Docket: 72-22

Enclosure: Safety Evaluation Report
 cc: PFS Service Lists (Distribution Attached)

JA
 11/30

OFC:	SFPO C	SFPO MB E	SFPO HE	SFPO	OGC	SFPO
NAME:	MDelligatti	MGBailey	JLTharpe	CPChappell	CMalice	SFSarkman
DATE:	11/20/99	11/30/99	11/30/99	11/30/99	11/30/99	11/27/99
OFC:	SFPO	SFPO				
NAME:	MNoddes	EWBrach				
DATE:	11/30/99	11/ /99				

Distribution: Docket 72-22 Public SFPO R/F NRC File Center NMSS R/F
*WHodges SFPO SLs *SFlanders STurk, OGC *SWhaley *MWaters
*NOsgood RSullivan, NRR AMcKegney, NRR GBagchi, NRR
CGaskin, FCSS PLain, FCSS BSpitzberg, RIV VEverett, RIV
CHackney, RIV SGagner, OPA SDroggitis, OSP TMadden, OCA

*Electronic Distribution

Private Fuel Storage

cc:

Mr. John D. Parkyn
Chairman of the Board
Private Fuel Storage, L.L.C.
P. O. Box C4010
La Crosse, WI 54602-4010

Mr. Scott Northard, Project Manager
Private Fuel Storage, L.L.C.
c/o Northern States Power
414 Nicollet Mall, Ren Square 7
Minneapolis, MN 55401

The Honorable Michael O. Leavitt
Governor of Utah
Salt Lake City, UT 84114-0601

The Honorable Leon D. Bear, Chairman
Skull Valley Band of Goshute Indians
2480 South Main, No. 110
Salt Lake City, UT 84115

Mr. Jack Gerard
McClure, Gerard and Neunschwander
201 Maryland Avenue, NE
Washington, DC 20002

Dr. Dianne R. Nielson, Executive Director
Department of Environmental Quality
State of Utah
168 North 1950 West
P. O. Box 144810
Salt Lake City, UT 84114-4810

Ms. Sally Wisely, State Director
Bureau of Land Management
United States Department of the Interior
Utah State Office
P.O. Box 45155
Salt Lake City, UT 84145-0155

Mr. David L. Allison, Superintendent
Bureau of Indian Affairs
Uintah and Ouray Agency
P.O. Box 130
Fort Duchesne, UT 84026

Joro Walker, Esq.
Land and Water Fund of the Rockies
2056 East 3300 South, Suite 1
Salt Lake City, UT 84109

cc's for PFS EIS:

Glenn Carpenter, Supervisor
U.S. Bureau of Land Management
Salt Lake District Office
2370 south 2300 West
Salt Lake City, UT 84119

Harold McNulty, Project Manager
Surface Transportation Board
Section of Environmental Analysis
1925 K Street NW, 5th Floor
Washington, DC 20423

David Allison, Superintendent
U.S. Bureau of Indian Affairs
Unitah and Ouray Agency
P. O. Box 130
Fort Duchesne, UT 84026

Joro Walker
Land and Water Fund of the Rockies
2056 East 3300 South, Suite 1
Salt Lake City, UT 84109

Amy Heuslein, Environmental Specialist
U.S. Bureau of Indian Affairs
Phoenix Area Office
P.O. Box 10
Phoenix, AZ 85001

Leon E. Berggren, Resource Advisor
U.S. Bureau of Land Management
Salt Lake District Office
2370 South 2300 West
Salt Lake City, UT 84119

Dale Hanberg, Land Operations Officer
U.S. Bureau of Indian Affairs
Unitah and Ouray Agency
P.O. Box 130
Fort Duchesne, UT 84026

Greg Zimmerman, Project Manager
P.O. Box 2008, 4500 N, MS 6200
Oak Ridge National Laboratory
Oak Ridge, TN 37831-6200

Michael J. Scott, Staff Scientist
Pacific Northwest National Laboratory
P.O. Box 99
MSIN: K8-17
Richland, WA 99352

Paul R. Nickens, Senior Research Scientist
5168 N. Windriver Place
Tucson, AZ 85750

OGC LIST OF THIRD PARTIES FOR CERTIFICATE OF SERVICE

Jay E. Silberg, Esq.
Shaw, Pittman, Potts & Trowbridge
2300 N Street, NW
Washington, DC 20037-8007

Joro Walker, Esq.
Land and Water Fund of the Rockies
2056 East 3300 South, Suite 1
Salt Lake City, UT 84109

Michael M. Later, Esq.
Parr, Waddoups, Brown, Gee & Loveless
185 S. State St., Suite 1300
P.O. Box 11019
Salt Lake City, UT 84147-0019

John Paul Kennedy, Sr., Esq.
1385 Yale Ave.
Salt Lake City, UT 84105

Danny Quintana, Esq.
Danny Quintana & Associates, P.C.
50 West Broadway
Fourth Floor
Salt Lake City, UT 84101

Denise Chancellor, Esq.
Fred G. Nelson, Esq.
160 East 300 South, 5th Floor
P.O. Box 140873
Salt Lake City, UT 84114-0873

Connie Nakahara, Esq.
Utah Attorney General's Office
160 East 300 South, 5th floor
P.O. Box 140873
Salt Lake City, UT 84114-0873

Diane Curran, Esq.
Harmon, Curran & Spielberg
2001 "S" Street, NW
Suite 430
Washington, DC 20009

Professor Richard Wilson
Department of Physics
Harvard University
Cambridge, MA 02138

Martin Kaufman, Esq.
Atlantic Legal Foundation
205 E. 42nd Street, 9th Floor
New York, NY 10017