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6 May, 1998

G. Paul Bollwerk III Chairman
Administrative judge Atomic Safety and licensing Board
US Nuclear Regulatory Commission
Washington, DC 20555

Re: Skull Valley Goshute's nuclear fuel Storage

Dear Paul:

Please find enclosed a copy of the document of the Skull Valley Goshute's brief in support of the Scientists study for secure waste storage. Should you have any questions about this document, please contact our office at your convenience. Thank you.

Sincerely,



Isaac Quintana

Enc:
cc
DQ/iq

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Nuclear Regulatory Commission

In the Matter of
PRIVATE FUEL STORAGE, L.L.C.
(Independent Spent Fuel
Storage Installation)

Docket No. 72-22-ISFSI
ASLBP No. 97-732-02-ISFSI
May 4, 1998

BRIEF OF SKULL VALLEY BAND OF GOSHUTES
IN SUPPORT OF SCIENTISTS FOR SECURE WASTE STORAGE APPEAL

The Skull Valley Band of Goshutes, (Band), hereby respectfully submits this brief in support of the Scientists for Secure Waste Storage appeal to intervene in these proceedings.

ARGUMENT IN SUPPORT OF INTERVENTION

The test for discretionary intervention is set forth in the Commission's Pebble Springs decision, CLI-76-27, 4 NRC at 616. The question before the Commission is whether the public interest is best served by the intervention of this esteemed body of scientists. The Board incorrectly pontificated that intervention here would delay the proceedings. There is no factual basis for the Board's speculation of a delay in these important proceedings. The Band believes the exact opposite will occur. Scientific questions in areas of particular expertise can be immediately answered by these world class experts whose only interest in these proceedings is truth. In fact, scientific questions, i.e., contentions can be answered faster than the current process given the demand which presently exists on NRC staff and resources.

Costs of experts is particularly important to the Band. Hiring world renown scientists to refute some of the out right hysterical contentions proffered by the opponents would be in the hundreds of thousands, if not millions of dollars. Many of these contentions involve proving negatives and wild assertions which have been filed to purposefully delay the proceedings. Litigation delay is the goal of the

various opponents of this storage facility. This simple delay tactic can be averted by use of these scientists to deal with the exotic, bizarre and totally off the wall claims by those who wish to "save the tribe and the environment from deadly nuclear waste".

The Band not only is concerned about the proceedings being expedited for their own interests but those of the public at large. Over 200 citizens of Utah signed petitions requesting the participation of these scientists in this process. Public confidence in licensing of major facilities is enhanced by the participation sought here. Better the voice of reason in matters of public concern than the shouts of hysteria by politicians with their own political agenda.


Now that everyone is on the same litigation schedule, no delays will occur by their participation. The scientists are represented by able legal counsel and all strict deadlines will be carefully observed. No special treatment will be sought or granted because of the prominence of the parties. This proposed intervention will allow the Commission to set even tighter deadlines since the real hard science questions can be readily referred to this able group of scientists.

CONCLUSION

For the reasons set forth supra, the Band respectfully prays this Commission to allow the intervention of Scientists for Secure Waste.

DATED this 5th day of May, 1998.

DANNY QUINTANA & ASSOCIATES



DANNY QUINTANA
General Counsel
Skull Valley Band of Goshutes

CERTIFICATE OF SERVICE

I hereby certify that copies of the above entitled brief was served upon the persons indicated below in the manner stated on the date stated:

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Dated: MAY 5th , 1998.

