

September 26, 1997

**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

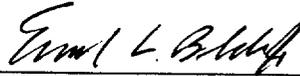
**APPLICANT'S ANSWER TO REQUEST FOR HEARING AND
PETITION TO INTERVENE OF OHNGO GAUDADEH DEVIA**

Applicant Private Fuel Storage L.L.C. ("PFS") submits this answer to the Request for Hearing and Petition to Intervene ("OGD Pet.") filed on September 12, 1997, by the organization Ohngo Gaudadeh Devia ("the Petitioner"). PFS does not object to the Petitioner's standing in this proceeding. The Petitioner must still establish at least one valid contention before its request for a hearing can be granted. See 10 C.F.R. § 2.714(b)(1); Yankee Atomic Electric Co. (Yankee Nuclear Power Station), CLI-96-1, 43 N.R.C. 1, 5 (1996). PFS will address the Petitioner's right to a hearing based on the contentions required to be filed by the Petitioner pursuant to 10 C.F.R. § 2.714(b).

The Petitioner presents a statement of aspects on which it wishes to intervene pursuant to 10 C.F.R. § 2.714(a)(2). OGD Pet. at 18-24. Some of the aspects raised by the Petitioner appear to be beyond the scope of this proceeding (e.g., Utah Governor Mike Leavitt stated that once material is brought into the State, there is a possibility it may not leave, OGD Pet. at 20) and others appear to challenge NRC regulations (e.g., the design of the transportation cask does not provide

sufficient protection against accidents during transportation, OGD Pet. at 19). PFS will address these matters if and when contentions are filed by the Petitioner.

Respectfully submitted,



Jay E. Silberg
Ernest L. Blake, Jr.

SHAW, PITTMAN, POTTS & TROWBRIDGE
2300 N Street, N.W.
Washington, D.C. 20037
(202) 663-8000

Counsel for Private Fuel Storage L.L.C.

Dated: September 26, 1997

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CERTIFICATE OF SERVICE

I hereby certify that copies of the "Applicant's Answer to the Request for Hearing and Petition to Intervene of Ohngo Gaudadeh Devia," dated September 26, 1997 were served on the persons listed below (unless otherwise noted) by facsimile with conforming copies by U.S. mail, first class, postage prepaid, this 26th day of September, 1997.

G. Paul Bollwerk III, Esq., Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dr. Jerry R. Kline
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Thomas D. Murphy
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

* Adjudicatory File
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Catherine L. Marco, Esq.
Sherwin E. Turk, Esq.
Office of the General Counsel
Mail Stop O-15 B18
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

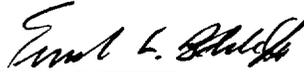
* Charles J. Haughney
Acting Director, Spent Fuel Project Office
Office of Nuclear Material Safety and
Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Jean Belille, Esq.
Land and Water Fund of the Rockies
2260 Baseline Road, Suite 200
Boulder, Colorado 80302

Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Attention: Rulemakings and Adjudications Staff

(Original and two copies)

* By U.S. mail only



Ernest L. Blake, Jr.