

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 CASTLE ROCK LAND AND
LIVESTOCK, L.C., SKULL VALLEY COMPANY, LTD., AND
ENSIGN RANCHES OF UTAH, L.C.**

Applicant Private Fuel Storage L.L.C. ("PFS") submits this answer to the Request for Hearing and Petition to Intervene ("Castle Rock Pet.") filed on September 11, 1997, by Castle Rock Land and Livestock, L.C., Skull Valley Company, Ltd., and Ensign Ranches of Utah, L.C. ("the Petitioners"). PFS does not object to the Petitioners' standing in this proceeding. The Petitioners 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 Petitioners' right to a hearing based on the contentions required to be filed by the Petitioners 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). Castle Rock Pet. at 14-20. Some of the statements made by the Petitioner appear to challenge NRC regulations (e.g., the NRC must license the PFSF under the regulations for a permanent high level radioactive waste repository, Castle Rock Pet. at 10). PFS will address these matters if and when contentions are filed by the Petitioner.

Respectfully submitted,



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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 Castle Rock Land and Livestock, L.C., Skull Valley Company, Ltd., and Ensign Ranches of Utah, L.C.," dated September 26, 1997 were served on the persons listed below (unless otherwise noted) by facsimile with conforming copies by the 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
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Washington, DC 20555-0001

* Adjudicatory File
Atomic Safety and Licensing Board Panel
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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.