

orig EDO file-PFS



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

August 6, 1997



Dr. Diane R. Nielson, Executive Director
Utah Department of Environmental Quality
16 North 1950 West
Salt Lake City, UT 84116

SUBJECT: RESPONSE TO JUNE 27, AND JULY 21, 1997, REQUESTS FOR ACTION
PURSUANT TO 10 CFR 2.206 (TAC NO. L22462)

Dear Dr. Nielson:

I am responding to your June 27, and July 21, 1997, requests that the Nuclear Regulatory Commission take action pursuant to 10 CFR 2.206 of the Commission's regulations. Specifically, you have requested that the NRC return the license application submitted by Private Fuel Storage, Limited Liability Company (PFS), to construct and operate an Independent Spent Fuel Storage Installation on the reservation of the Skull Valley Band of Goshute Indians, a Federally-Recognized Indian Tribe. The Skull Valley Reservation is surrounded by Tooele County, UT.

The purpose of 10 CFR 2.206 is to permit members of the public to request that the NRC take some type of enforcement action. Your request does not seek enforcement action and thus does not meet the criteria for consideration under 10 CFR 2.206. Rather, your request presents licensing issues regarding the adequacy of the PFS application.

The NRC staff has completed its acceptance review of the PFS application and has found it acceptable for docketing. This determination that the PFS application contained sufficient information for docketing is independent of any subsequent determination on the sufficiency of the information in the application in terms of demonstrating compliance with the applicable regulatory requirements in 10 CFR Part 72. That determination will be made on the basis of the staff's review of the application, and the concerns raised in your request will be considered in that context.

If you have additional concerns regarding the PFS application, please contact Mark Delligatti of my staff at 301 415-8518.

Sincerely,

Charles J. Haughney, Acting Director
Spent Fuel Project Office
Office of Nuclear Material Safety and
Safeguards

Docket 72-22

cc: Chief Leon Bear, Skull Valley Goshutes
John D. Parkyn, Private Fuel Storage