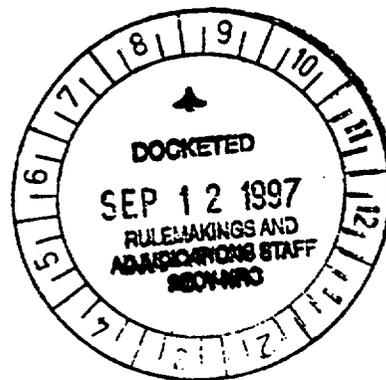


**DANNY QUINTANA, BAR #4121**  
**DANNY QUINTANA & ASSOCIATES, P.C.**  
 Attorney for Petitioner  
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**BEFORE THE UNITED STATES**

**NUCLEAR REGULATORY COMMISSION**

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IN THE MATTER OF: PRIVATE FUEL STORAGE, LLC,  Applicant.	: : : :	DOCKET NO. 72-22 TAC NO. L22462  VERIFIED PETITION FOR LEAVE TO INTERVENE
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The Skull Valley Band of Goshute Indians, hereinafter, the "Band" by and through their attorney, Danny Quintana, hereby submit this Verified Petition to the Nuclear Regulatory Commission, hereinafter, "the Commission", for leave to intervene in support of Private Fuel Storage, LLC in accordance with 10 CFR 2.714 based upon the following:

1. The Skull Valley Band of Goshute Indians, is a federally recognized Indian Tribe and sovereign under Federal Law.
2. The Executive Committee is the governing body of the Band consisting of a Chairman, Vice-Chairman and Tribal Secretary duly elected by the General Council comprised of all adult voting members of the Band.

3. The Executive Committee is authorized to carry on the daily business of the Band. This includes entering into business negotiations, contracts and agreements with various companies and individuals, and other governments; and participating in legal and administrative proceedings on behalf of the Band.
- 4 After extensive negotiations between the Executive Committee and Private Fuel Storage, LLC, the Band and the Applicant, entered into a Business Lease on December 27, 1996 for certain land located on the Skull Valley Goshute Indian Reservation. The purpose of the Lease is to site a facility for the storage of commercial spent nuclear fuel.
5. The off site storage facility for spent nuclear fuel proposed to be located on the Skull Valley Goshute Reservation requires the license approval of the Nuclear Regulator Commission under Federal Law.
6. Given the nature of this facility and the materials which are proposed for storage, and the Band's property interests in the leased land and other reservation lands, the NRC determinations of whether to issue a license, and if so, on what terms, will have a substantial health, safety, cultural and financial impact on the Skull Valley Goshute Reservation.
- 7 The Band is uniquely able to provide insights to the Commission regarding impacts on its lands, resources and members, and the Atomic Energy Act, as amended, strongly favors involvement of affected Indian Tribes.
8. Consistent with the due process and the Administrative Procedure Act, the Band should be allowed to fully participate as a party in all aspects of any proceeding on the project as the Band's vital interests will be directly affected by the outcome. Further the

Band is an interested government with sovereignty over the lands on which the project is to be sited. Intervention and full participation are necessary in this unique proceeding for the Band to protect its interests. The Band fully supports this project and is interested in the success of the license application.

Based on the record to date, the Band is not requesting a hearing. The purpose of this intervention is to protect the Band's legal interests by making the Band a full and equal party to the Nuclear Regulatory Commission proceedings.

THEREFORE, the Petitioner prays for recognition as an intervening party to this proceeding as follows:

- A. The scope of the Band's intervention to include all aspects of the subject matter of this proceeding affecting the health, safety, or cultural or financial resources of the Band, and any others which are material to the outcome or the financial viability of the Applicant's proposal;
- B. The Band to be accorded all of the rights of a party including notice of all hearings, service of all filings upon the Band's General Counsel, opportunity to amend this petition to later identify issues and contentions, opportunity to cross examine witnesses, and to appeal any Commission Order;
- C. The Band to be provided with notice and the opportunity to send a representative to all meetings between the Nuclear Regulatory Commission Staff and Applicant regarding the Staff's review of the application, and copies of all relevant correspondence to and from the Staff.

Dated this \_\_\_\_\_ day of September, 1997.



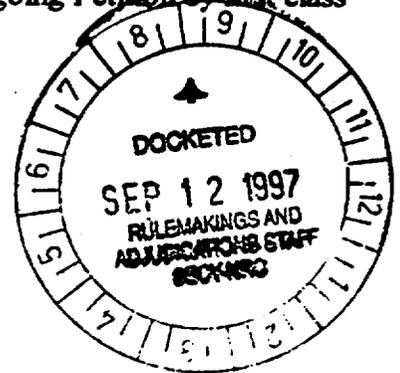
**CERTIFICATE OF SERVICE**

I hereby certify that I mailed a true and correct copy of the foregoing Petition by first class mail to:

Val R. Antczak  
PARSONS, BEHLE & LATIMER  
Attorney for Private Fuel Storage, LLC  
201 South Main Street, #1800  
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OFFICE OF THE GENERAL COUNSEL  
U.S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555



Postage prepaid this 12<sup>th</sup> day of Sept, 1997.