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July 23, 2001

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Commission

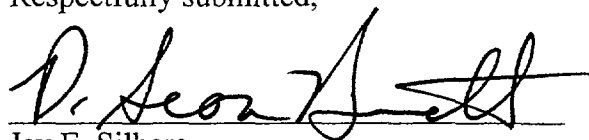
OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

| | | |
|---------------------------------|---|---------------------------|
| 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 RESPONSE TO NUCLEAR ENERGY INSTITUTE MOTION FOR LEAVE TO FILE AN AMICUS BRIEF ON THE REGULATORY STANDARD FOR AIRCRAFT CRASH HAZARDS AT SPENT FUEL FACILITIES

Applicant Private Fuel Storage L.L.C. ("Applicant" or "PFS") hereby files this response to the "Motion by the Nuclear Energy Institute for Leave to File an Amicus Brief on the Regulatory Standard for Aircraft Crash Hazards at Spent Fuel Facilities," July 13, 2001, in which NEI requests leave to file an amicus brief on the ruling of the Licensing, certified to the Commission, that any accident at an independent spent fuel storage facility ("ISFSI") with a probability of occurrence of less than one in a million (10^{-6} or $1 \text{ E-}6$) per year is not a credible accident for which the ISFSI must be designed to withstand. PFS supports NEI's motion for leave to file its amicus brief given the importance of this issue as it affects the interests of the nuclear energy industry generally, as set forth in the NEI motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. Sean Barnett", written over a horizontal line.

Jay E. Silberg

Ernest L. Blake, Jr.

Paul A. Gaukler

D. Sean Barnett

SHAW PITTMAN, LLP

2300 N Street, N.W.

Washington, DC 20037

Counsel for Private Fuel Storage L.L.C.

Dated: July 23, 2001

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| (Private Fuel Storage Facility) |) | ASLBP No. 97-732-02-ISFSI |

CERTIFICATE OF SERVICE

I hereby certify that copies of the "Applicant's Response To Nuclear Energy Institute Motion For Leave to File An Amicus Brief On The Regulatory Standard For Aircraft Crash Hazards At Spent Fuel Facilities" were served on the persons listed below (unless otherwise noted) by e-mail with conforming copies by U.S. mail, first class, postage prepaid, this 23rd day of July 2001.

Richard A. Meserve, Chairman
OCM/RAM
U.S. Nuclear Regulatory Commission
One White Flint North, Rm. 17-D1
Mail Stop 16 C1
11555 Rockville Pike
Rockville, MD 20852-2738
e-mail: CHAIRMAN@nrc.gov

Edward McGaffigan, Jr., Commissioner
OCM/EXM
U.S. Nuclear Regulatory Commission
One White Flint North, Rm. 18-G1
Mail Stop 16 C1
11555 Rockville Pike
Rockville, MD 20852-2738
e-mail: cmrmcgaffigan@nrc.gov

Greta J. Dicus, Commissioner
OCM/GJD
U.S. Nuclear Regulatory Commission
One White Flint North, Rm. 17-D1
Mail Stop 16 C1
11555 Rockville Pike
Rockville, MD 20852-2738
e-mail: cmrdicus@nrc.gov

Jeffrey S. Merrifield, Commissioner
OCM-JSM
U.S. Nuclear Regulatory Commission
One White Flint North, Rm. 18-F1
Mail Stop 16 C1
11555 Rockville Pike
Rockville, MD 20852-2738
e-mail: cmrmerrifield@nrc.gov

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

Office of the Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
One White Flint North, Rm. 14-G13
Mail Stop 16 C1
Washington, DC 20555-0001
email: rmf@nrc.gov

G. Paul Bollwerk III, Esq., Chairman Ad-
ministrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
e-mail: GPB@nrc.gov

Dr. Jerry R. Kline
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
e-mail: JRK2@nrc.gov; kjerry@erols.com

Dr. Peter S. Lam
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
e-mail: PSL@nrc.gov

Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Attention: Rulemakings and Adjudications
Staff
e-mail: hearingdocket@nrc.gov
(Original and two copies)

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
e-mail: pfscase@nrc.gov

Denise Chancellor, Esq.
Assistant Attorney General
Utah Attorney General's Office
160 East 300 South, 5th Floor
P.O. Box 140873
Salt Lake City, Utah 84114-0873
e-mail: dchancel@state.UT.US

John Paul Kennedy, Sr., Esq.
David W. Tufts, Esq.
Confederated Tribes of the Goshute
Reservation and David Pete
Durham, Jones & Pinegar
111 East Broadway, Suite 900
Salt Lake City, Utah 84105
e-mail: dtufts@djplaw.com

Joro Walker, Esq.
Land and Water Fund of the Rockies
1473 South 1100 East, Suite F
Salt Lake City, UT 84105
e-mail: lawfund@inconnect.com


Diane Curran, Esq.
Harmon, Curran, Spielberg &
Eisenberg, L.L.P.
1726 M Street, N.W., Suite 600
Washington, D.C. 20036
e-mail: dcurran@harmoncurran.com

*Richard E. Condit, Esq.
Land and Water Fund of the Rockies
2260 Baseline Road, Suite 200
Boulder, CO 80302

* By U.S. mail only

Danny Quintana, Esq.
Skull Valley Band of Goshute Indians
Danny Quintana & Associates, P.C.
68 South Main Street, Suite 600
Salt Lake City, Utah 84101
e-mail: quintana@xmission.com

Samuel E. Shepley, Esq.
Steadman & Shepley, LC
550 South 300 West
Payson, Utah 84651-2808
e-mail: Steadman&Shepley@usa.com


D. Sean Barnett