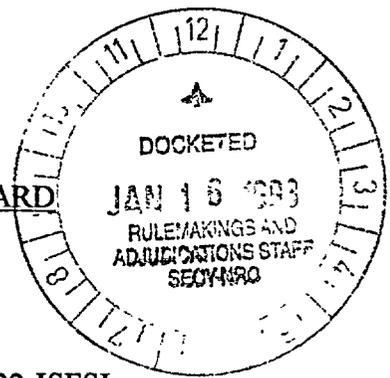


18741

January 16, 1997

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of)
)
PRIVATE FUEL STORAGE, LLC)
)
(Independent Spent)
Fuel Storage Installation))

Docket No. 72-22-ISFSI

CLASSIFICATION OF CONTENTIONS ON BEHALF OF
THE CONFEDERATED TRIBES OF THE GOSHUTE RESERVATION
AND DAVID PETE

By Order dated January 6, 1998, the Board directed the Goshute Tribe to classify its contentions and to state whether it has any objections to the suggestions of PFS for redrafting those contentions. In response to that order the Goshute Tribe (and David Pete), by and through their counsel, John Paul Kennedy, 1385 Yale Avenue, Salt Lake City, Utah 84105, hereby submit the following:

Classification of Contentions:

- A. Decommissioning Plan Deficiencies. This contention potentially impacts safety, environmental, emergency planning, and may fall into the "other" category as well.
- B. Lack of protection against worst case accidents. This contention potentially impacts safety, environmental, emergency planning, and may fall into the "other" category as well.
- C. Inadequate Assessment of Costs under NEPA. This contention impacts environmental and "other" issues.

D. Inadequate Discussion of No-Action Alternative. This contention impacts environmental and "other" issues.

E. Failure to Give Adequate consideration to Adverse Impacts on the Historic District. This contention impacts environmental and "other" issues.

F. Failure to Adequately Establish Financial Qualifications. This contention potentially impacts safety, environmental, emergency planning, and may fall into the "other" category as well.

G. With respect to the contentions incorporated by reference, The Goshute Tribe hereby adopts and incorporates by reference the classifications designed by the initial proponents of those contentions. (Absence of NRC Authority, Non-Compliance with Regulations, Application for Permanent Repository, Inadequate Financial Qualifications, Regional and Cumulative Environmental Impacts, Statutory Authority, License Needed for Intermodal Transfer Facility.)

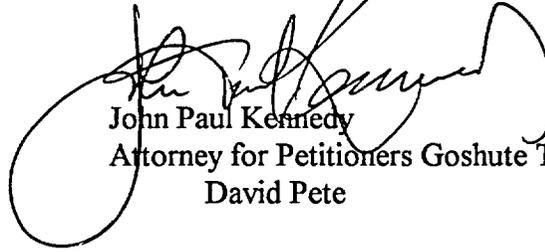
Proposed Redrafting by PFS:

Generally speaking, the Goshute Tribe objects to the redrafting of any of its contentions to the extent that such proposed redrafting would have the effect of narrowing the scope of those contentions. The Goshute Tribe asserts that the Application in this matter is in part broad and vague. Until all of the concerns regarding the scope and detail of the application have been fully resolved, the Goshute Tribe wishes to stand by its statements. To the extent, however, the proposed restatement of the contentions serves to provide additional clarity or any required

information or authority, the Goshute Tribe would accept such additions, again without limiting the scope of the contentions.

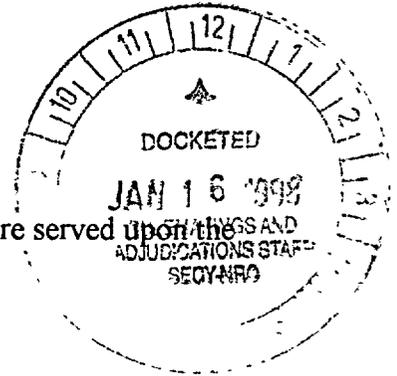
Dated: January 16, 1998.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Paul Kennedy", is written over the typed name. The signature is fluid and cursive, with a large loop at the end.

John Paul Kennedy
Attorney for Petitioners Goshute Tribe and
David Pete

Certificate of Service



I hereby certify that copies of the above Statement of Contentions were served upon the persons indicated below in the manner stated on the date stated:

Attn: Docketing & Service Branch
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Mail Stop 016G15
11555 Rockville Pike One White Flint North
Rockville, MD 20852-2738
(original and two copies -- Fed. Ex. Only)

Dr. Jerry R. Kline
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
email jrk2@nrc.gov

G. Paul Bollwerk, III, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
email gpb@nrc.gov

Dr. Peter S. Lam
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
email psl@nrc.gov

Office of the Secretary
Attn: Rulemakings and Adjudication Staff
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
(Fed. Ex. Only)

Sherwin E. Turk, Esq.
Catherine L. Marco, Esq.
Office of General Counsel
U.S. Nuclear Regulator Commission
Mail Stop: 0-15 B18
Washington, D.C. 20555
Fax: 301-415-3725
email SET@nrc.gov

Jay E. Silberg, Esq.
Shaw, Pittman, Potts & Trowbridge
2300 N Street N.W.
Washington, D.C. 20037-8007
Fax: 202-663-8007
jay_silberg@shawpittman.com

Jean Belille, Esq.
Land and Water Fund of the Rockies
2260 Baseline Road, Suite 200
Boulder, Colorado 80302
Fax: 303-786-8054
landwater@lawfund.org

Danny Quintana, Esq.
50 W. Broadway, Fourth Floor
Salt Lake City, Utah 84101
Fax: 801-521-4625
quintana@Xmission.com

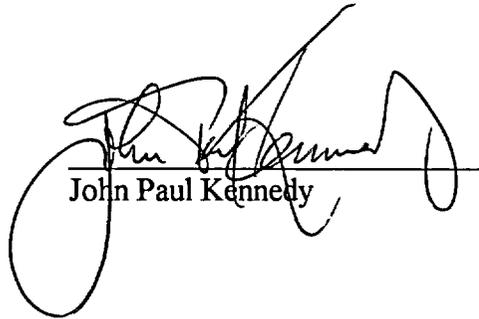
Diane Curran, Esq.
Harmon, Curran & Spielberg
2001 S Street, N.W., Suite 430
Washington, D.C. 20009
Fax: 202-328-6918
dicurran@aol.com

Denise Chancellor
Utah Attorney General's Office
P.O. Box 140873
Salt Lake City, Utah 84114-4810
Fax: 801-366-0292
dchancel@state.ut.us

Connie Nakahara, Esq.
Utah Dep. Of Environmental Quality
168 North 1950 West
P.O. Box 144810
Salt Lake City, Utah 84114-4810
Fax: 801-536-0061
cnakahar@state.UT.US

Clayton J. Parr, Esq.
Michael Later, Esq.
Parr, Waddoups, Brown, Gee & Loveless
185 S. State #1300
Salt Lake City, Utah 84147-0019
Fax: 801-532-7751
kjohnson@kimballparr.com

Dated: January 16, 1998.



John Paul Kennedy