RAS 18826

February 2, 1998

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Secretary
Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Docket Number 72-22-ISFSI
Licensing hearing on proposal of Private Fuel Storage LLC
Amended petition

SERVED FEB 24 1998

Dear Administrator:

I fully support the Petitioners who have formed a group "Scientists for Secure Waste Storage" and request leave to intervene, as a group, in the above hearing and extensions thereof in accordance with the rules of practice for domestic licensing proceedings.

I believe that the proposal of Private Fuel Storage to store spent nuclear fuel in the Skull Valley Indian reservation, is a sensible proposal to cope with one of the steps in the technology of nuclear power in a safe and environmentally acceptable way. I have no doubt that such a storage facility can be built and operated safely. In that sense the petitioners and I support the proposal.

Petitioners would like to have the opportunity to review and comment (preferably in writing) upon any and all scientific and technical issues that are, or will come before the board. We desire this right to make sure that the scientific and technical testimony is accurate and in proper context. It is the intention of the petitioners that written comments would be circulated among the petitioners and the group report would then represent their views. To the extent that oral comments may be made by a one person representing the petitioners, these will be sent to each petitioner for subsequent checking. The comments from the group will, of course, be available for cross-examination.

The petitioners and I believe that formal intervention may give more flexibility in ensuring that the petitioners can properly present the best scientific and technical information and respond to such other information as may be presented in this matter. The petitioners and I are alarmed by inaccurate (and not publicly retracted) statements on the science and technology of nuclear physics and its application to waste storage, that have been made by responsible authorities of the State of Utah, which is one of the participants. These fact-free statements have been made in the press and also expressed in various communications.
I believe that to accept, condone, or give credence to such statements would misrepresent and demean science and the scientific community. I fully support the desire to intervene to help ensure that the scientific and technical record is correct. For these reasons we request leave to intervene.

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SECY-02

(I) I have worked much of my life in environmental science and technology research, teaching, administration, and consulting. I never have worked for the Department of Energy, any of its contractors, or any utility company.

(ii) I have no personal financial or property interests in the proceeding. My interest however is great, because of my interest in the public good and a desire to ensure that the environmental good be considered properly. I lived in Orem, Utah during 1992, 1993, 1994, and 1995. I was the Director of the Utah Environmental Training Center – One of only 42 such training centers in the nation, but one of only 16 EPA Environmental Response Training Centers in the nation. I continue to work in Utah. My personal interest in the hearing therefore approximately equals that of any member of the State of Utah.

Although we share a common interest with the proposers in ensuring that the nuclear power program of the USA be continued with the minimum of environmental problems, there are differences. There may be times when the petitioners will have different views in detail from the proposer (Private Fuel Storage Inc.), or the Skull Valley Band of Goshute Indians, and it seems desirable that the board have available to it a range of informed opinion. For this reason, a full intervention will make a clearer docket than an alternate possibility of presenting the testimony as a witness called by one of the other parties. Only then will the board be able to make the best possible decision.

My interest is protection of the environment. I want to ensure that the science and technology is properly sound. The petitioners expect to limit their participation accordingly whether or not it is formally limited by the board.

I support the request of the petitioners to be permitted to participate in the preparation (and peer review) of the Commission's Safety and Environmental reports to the extent consistent with this intervention. We request that we be provided with copies of the notes of that testimony and those filings of others that pertain to scientific and technical matters regarding the transportation and storage of spent fuel.

Sincerely

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of PRIVATE FUEL STORAGE, LLC (Independent Spent Fuel Storage Installation)	Docket No.(s) 72-22-ISFSI

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing CARPENTER LTR SENT TO NRC/OGC have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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Dated at Rockville, Md. this
24 day of February 1998

Adria T. Byrdsong
Office of the Secretary of the Commission