

October 1, 2003

Mr. John D. Parkyn
Chairman of the Board
Private Fuel Storage, L.L.C.
P.O. Box C4010
La Crosse, WI 54602-4010

SUBJECT: SECOND REQUEST FOR ADDITIONAL INFORMATION REGARDING THE
PRIVATE FUEL STORAGE CONSEQUENCE ANALYSIS (TAC L21150)

Dear Mr. Parkyn:

On July 15, 2003, Private Fuel Storage, LLC (PFS) submitted to the U.S. Nuclear Regulatory Commission (NRC) its analyses concerning the consequences of an aircraft crash into the proposed PFS Facility. In reviewing those analyses, the NRC staff identified a number of questions concerning the adequacy and/or completeness of those analyses, and met with PFS on August 7, 2003, to provide an early indication of the questions the staff had identified at that time, prior to issuing a formal request for additional information (RAI). On August 15, 2003, the staff issued a detailed RAI concerning the PFS aircraft crash consequence analyses incorporating, to a large extent, the questions raised by the staff in the meeting of August 7. PFS responded to the staff's RAI on September 5, 2003.

The staff has reviewed PFS's responses to the RAIs and has concluded that some of those responses did not clearly provide all of the information and further analyses requested by the staff. By this letter, the NRC staff is issuing a second RAI to identify the additional information and analyses needed for the staff to complete its review and to reach a position on the consequences of an aircraft crash into the proposed PFS Facility.

The NRC staff recognizes that the NRC proceeding on PFS's license application has been ongoing since 1997, and that this remaining issue should be resolved as promptly as possible, consistent with the NRC's obligation to protect public health and safety and the environment. We also recognize, as we have stated on numerous occasions, that PFS must provide complete and adequate responses to the staff's RAIs to avoid unnecessary delay. The NRC staff will meet with PFS on October 2, 2003, to provide any additional clarifications needed by PFS regarding the second RAI, to assure that PFS's responses to this second RAI are complete and adequate, and that no further time is lost in the resolution of this issue.

Portions of the consequence analysis reports PFS submitted in July 2003, as well as the September 2003, response to the first RAI, were determined to contain Safeguards Information, which must be protected from public disclosure. The NRC staff has determined that this RAI does not contain Safeguards Information. Please be sure that consideration is given as to whether information contained in PFS's response to this RAI contains Safeguards Information and, if so, that it is appropriately marked and handled.

J. Parkyn

- 2 -

If you have any questions regarding this letter, please contact me at (301) 415-8518.

Sincerely,

/RA/

Mark S. Delligatti, Senior Project Manager
Spent Fuel Licensing Section
Licensing and Inspection Directorate
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

Enclosure: Request for Additional Information

Docket No.: 72-22

cc: Service Lists

J. Parkyn

- 2 -

If you have any questions regarding this letter, please contact me at (301) 415-8518.

Sincerely,
/RA/
Mark S. Delligatti, Senior Project Manager
Spent Fuel Licensing Section
Licensing and Inspection Directorate
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

Enclosure: Request for Additional Information

Docket No.: 72-22

cc: Service Lists

Distribution:

Docket	NRC File Center	PUBLIC	NMSS r/f	SFPO r/f
AChowdhury, CNWRA	KCampe, NRR	MGBailey	CMarco, OGC	STurk, OGC
NJensen, OGC	TMadden, OCA	VEverett, RIV	BSpitzberg, RIV	SDroggitis, OSP
SGagner, OPA	EWBrach	EEaston	JGuttman	MWaters
RShewmaker	MShah	GBjorkman	SBaggett	MWHodges
LWCamper	DDamon, NMSS/RTG			

OFC	SFPO		SFPO		SFPO		OGC			
NAME	MSDelligatti:dd		EZiegler		JMonninger		STurk			
DATE	10/01/03		10/01/03		10/01/03		10/01/03			

C = COVER

E = COVER & ENCLOSURE

N = NO COPY

OFFICIAL RECORD COPY

C:\ADAMS\Cache\ML0327405602.wpd

cc: Private Fuel Storage

Mr. John D. Parkyn
Chairman of the Board
Private Fuel Storage, L.L.C.
P. O. Box C4010
La Crosse, WI 54602-4010

Mr. Scott Northard, Project Manager
Private Fuel Storage, L.L.C.
c/o Northern States Power
414 Nicollet Mall, Ren Square 7
Minneapolis, MN 55401

The Honorable Michael O. Leavitt
Governor of Utah
Salt Lake City, UT 84114-0601

The Honorable Leon D. Bear, Chairman
Skull Valley Band of Goshute Indians
2480 South Main, No. 110
Salt Lake City, UT 84115

Mr. Jack Gerard
McClure, Gerard and Neunschwander
201 Maryland Avenue, NE
Washington, DC 20002

Dr. Dianne R. Nielson, Executive Director
Department of Environmental Quality
State of Utah
168 North 1950 West
P. O. Box 144810
Salt Lake City, UT 84114-4810

Ms. Sally Wisely, State Director
Bureau of Land Management
United States Department of the Interior
Utah State Office
P.O. Box 45155
Salt Lake City, UT 84145-0155

Mr. Chester Mills, Superintendent
Bureau of Indian Affairs
Uintah and Ouray Agency
P.O. Box 130
Fort Duchesne, UT 84026

Joro Walker, Esq.
Southern Utah Wilderness Alliance
1473 South 1100 East, Suite F
Salt Lake City, UT 84105

Ms. Diane Curran
Harmon, Curran, Spielberg & Eisenberg
1726 M Street, Suite 600
Washington, D.C. 20036

Margene Bullcreek
Ohngo Gaudadeh Devia
PO Box 155
Tooele, UT 84074

Paul C. Echohawk, Esq.
Echohawk Law Offices
Attorney for Ohngo Gaudadeh Devia
151 North 4th Ave, Suite A
P. O. Box 6119
Pocatello, ID 83205-6119

C:\ADAMS\Cache\ML0327405602.wpd

OGC LIST OF THIRD PARTIES FOR CERTIFICATE OF SERVICE

Jay E. Silberg, Esq.
Shaw, Pittman, Potts & Trowbridge
2300 N Street, NW
Washington, DC 20037-8007

Diane Curran, Esq.
Harmon, Curran, Spielberg & Eisenberg
1726 M Street, Suite 600
Washington, DC 20036

Joro Walker, Esq.
Southern Utah Wilderness Alliance
1473 South 1100 East, Suite F
Salt Lake City, UT 84105

Professor Richard Wilson
Department of Physics
Harvard University
Cambridge, MA 02138

Michael M. Later, Esq.
Parr, Waddoups, Brown, Gee & Loveless
185 S. State St., Suite 1300
P.O. Box 11019
Salt Lake City, UT 84147-0019

Martin Kaufman, Esq.
Atlantic Legal Foundation
205 E. 42nd Street, 9th Floor
New York, NY 10017

John Paul Kennedy, Sr., Esq.
1385 Yale Ave.
Salt Lake City, UT 84105

Paul C. Echohawk, Esq.
Echohawk Law Offices
Attorney for Ohngo Gaudadeh Devia
151 North 4th Ave, Suite A
P. O. Box 6119
Pocatello, ID 83205-6119

Tim Vollmann
3301-R Coors Road N.W. # 302
Albuquerque, NM 87120

Denise Chancellor, Esq.
Fred G. Nelson, Esq.
160 East 300 South, 5th Floor
P.O. Box 140873
Salt Lake City, UT 84114-0873

Connie Nakahara, Esq.
Utah Attorney General's Office
160 East 300 South, 5th floor
P.O. Box 140873
Salt Lake City, UT 84114-0873

C:\ADAMS\Cache\ML0327405602.wpd