

January 6, 2004

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

SUBJECT: REQUEST FOR REVISED DOCUMENTS ASSOCIATED WITH THE PRIVATE
FUEL STORAGE CONSEQUENCE ANALYSIS (TAC L21150)

Dear Mr. Parkyn:

This letter is written to document the Nuclear Regulatory Commission (NRC) staff's verbal request that Private Fuel Storage, Limited Liability Company (PFS or Applicant), provide revised copies of certain documents associated with the Applicant's analysis of potential consequences of the crash of an F-16 aircraft at the proposed Private Fuel Storage Facility (PFSF).

As you know, PFS transmitted certain reports and analyses to the staff in July 2003, including, among other documents, the following:

Burdeshaw Associates, "Evaluation of F-16 Aircraft Crash Impact Speed and Angle for Skull Valley-Type Events" (Authors-Jefferson, Fly, Cole) - Dated July 15, 2003;

A. Cornell, "Probability Assessment of the Aircraft Crash Impact Hazard for the [PFS] Facility Based on Engineering Evaluations of Storage Cask and Canister Transfer Building Structural Integrity" - Dated July 2003;

Holtec International Report HI-2033045, "Structural Evaluation of an F-16 Aircraft Impact on HI-STORM Overpacks at the PFS Facility" - Dated July 15, 2003;

The NRC staff then transmitted a request for additional information (RAI) dated August 15, 2003, to which PFS responded on September 5 and 8, 2003; and the staff transmitted a second RAI to PFS on October 1, 2003, to which PFS responded on December 10 and 15, 2003. After the NRC staff provided the second RAI to PFS, a meeting between PFS and the staff was held on October 2, 2003, to ensure that PFS clearly understood the RAIs and the information needed by the staff in order for the staff to complete its evaluation of the consequence analysis. At that meeting and in subsequent telephone conversations, including two during the week of December 15, 2003, the staff stated its strong preference for PFS to update the initial consequence analysis documents to reflect RAI responses, in order to clarify the bases for its assessment of the consequences of an F-16 crash at the PFSF.

PFS has expressed to the staff its concerns about the amount of time and resources necessary to update all of the documents originally submitted, setting out the PFS accident analysis. The staff is mindful of PFS's concerns. We also continue to heed the Commission's exhortation to

all parties to work to conclude this licensing proceeding as expeditiously, as possible. Nonetheless, the staff has concluded that the consolidation and integration of certain PFS analyses and RAI responses is necessary to enable the staff to properly understand the current bases upon which PFS relies in support of its conclusions. We believe that the additional time required for the staff to attempt to consolidate these documents would far exceed the time required for PFS to do so. Therefore, the staff is requesting that PFS provide updated versions of the three documents listed above. Please note, as we have stated previously, that the staff is not requesting that PFS include any additional new information in the PFS documents beyond what has previously been submitted to the NRC staff. Rather, the NRC staff merely seeks to receive a consolidated set of reports that integrates the information and analyses which PFS has previously provided and that PFS restate its conclusions in light of the updated information and analyses.

The staff expects that PFS should be able to submit the updated Holtec and Cornell reports by January 20, 2004, and the updated Burdeshaw report by January 30, 2004. Please respond to this letter as soon as possible, if you believe that PFS cannot not meet this schedule. Upon receipt of the requested updated documents and an initial review thereof, the staff will be able to discuss a schedule for completion of its evaluation.

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

Sincerely,
/RA/

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

Docket: 72-22

cc: OGC Service List

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 Mark S. Delligatti, Senior Project Manager
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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

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

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

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

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

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

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

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

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