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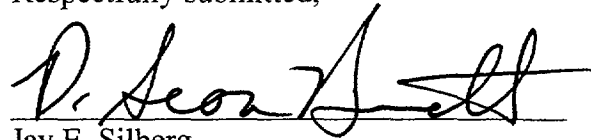
UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSIONBefore the CommissionOFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

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 STAND-  
DARD 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.

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Dated: July 23, 2001

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

Before the Commission

In the Matter of	)	
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PRIVATE FUEL STORAGE L.L.C.	)	Docket No. 72-22
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**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 23<sup>rd</sup> day of July 2001.

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