

December 19, 2002

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

SUBJECT: REVIEW OF INFORMATION REGARDING MINIMUM FLIGHT ALTITUDE
OVER SKULL VALLEY

Dear Mr. Parkyn:

On August 13, 2002, I sent you a letter asking Private Fuel Storage, LLC (PFS) to analyze the impact of a change in the minimum allowable flight altitude in the Sevier B Military Operations Area over the Reservation of the Skull Valley Band of Goshute Indians (the Reservation). Specifically, I asked that PFS consider whether this change would impact the conclusions PFS had reached regarding the probability of military aircraft accidents at or near the proposed Private Fuel Storage Facility (PFSF).

By letter dated August 23, 2002, letter (Enclosure 1) you responded to my request, providing an analysis of the impacts of changing the minimum allowable flight altitude on the PFS aircraft crash hazard analysis. Subsequently, by letter dated September 30, 2002, PFS also provided the U.S. Nuclear Regulatory Commission (NRC) staff with a copy of a September 10, 2002, letter from Colonel Stephen L. Hoog, Commander of the 388th Fighter Wing at Hill Air Force Base, to Leon D. Bear, Chairman of the Skull Valley Band of Goshute Indians (Enclosure 2). Colonel Hoog's letter contains information about U.S. Air Force (USAF) operating instructions for flight altitude and actual USAF flight operations over the Reservation.

Based on the information received, and our review of the analyses that have been conducted to date, the NRC staff has concluded that no change is warranted to the evaluation findings in the NRC staff's consolidated "Safety Evaluation Report Concerning the Private Fuel Storage Facility" (dated March 2002). However, in the event that PFS learns of a significant change in flight operation procedures over the Reservation, we request that such information be provided to the NRC staff and that PFS conduct a further assessment to determine whether any change to the aircraft crash hazard analysis is required.

J.D. Parkyn

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If you have any questions regarding the content of this letter, please feel free to contact me at (301) 415-8518.

Sincerely,
/RA/ original signed by /s/
Mark S. Delligatti, Senior Project Manager
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

Docket No.: 72-22

Enclosures: 1. Parkyn ltr dtd 08/23/02
(ML022740250)
2. Donnell ltr dtd 09/10/02
(ML022760454)

cc: Service Lists

J.D. Parkyn

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cc: Private Fuel Storage

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