

August 1, 2003

Michael C. Farrar, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Peter S. Lam
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Jerry R. Kline
Administrative Judge
Atomic Safety and Licensing Board
Washington, DC 20555

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

Dear Administrative Judges:

The NRC Staff in the Office of Nuclear Security and Incident Response (NSIR) has reviewed the six aircraft crash analyses and reports submitted to the NRC by Private Fuel Storage, L.L.C. ("PFS" or "Applicant") in July 2003, to determine whether those documents or portions thereof should be treated as safeguards information (SGI) in accordance with Section 147 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. § 2167.

Based on its review of those documents, the Staff has determined that the PFS analyses and reports contain SGI and therefore should be handled with appropriate protective measures, in order to avert the unauthorized disclosure of SGI to persons who have not established a "need to know" the information and have not executed the necessary non-disclosure affidavits developed for use in this proceeding.

Sincerely,

/RA/
Sherwin E. Turk
Counsel for NRC Staff

cc: Service List