

RAS 6855

RELATED CORRESPONDENCE
September 26, 2003

DOCKETED 09/29/03

Paul Gaukler, Esq.
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Washington, DC 20037-8007

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

Dear Mr. Gaukler:

It is my understanding that you have requested a copy of the aircraft crash study sponsored by the Nuclear Energy Institute (NEI) that was provided to the State of Utah on August 29, 2003. As stated in the August 29, 2003, "NRC Staff's Response to Licensing Board's Request Concerning the Nuclear Energy Institute's Aircraft Crash Study," the Staff had no objection to providing to the State portions of the NEI aircraft crash study that contain no Safeguards Information. The Staff also had no objection to providing portions of the NEI study that contain Safeguards Information to the extent that the recipient has an established "need to know" the information and is subject to the terms of the protective order and non-disclosure affidavit approved by the Licensing Board for use in this proceeding.

The Staff has determined that you may have access to the same portions of the report that had been provided to the State. In this regard, your access to the portions of the NEI study that contain Safeguards Information is based on the grounds that you are subject to the terms of the protective order and non-disclosure affidavit approved by the Licensing Board, and you have an established "need to know" the information. Accordingly, the Staff is providing to you as an enclosure hereto those portions of the NEI study that were previously provided to the State.

Sincerely,

/RA/
Catherine L. Marco
Counsel for NRC staff

Enclosure: As stated

cc w/o encl: Service List