

October 1, 2003

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

SUBJECT: SECOND REQUEST FOR ADDITIONAL INFORMATION REGARDING THE
PRIVATE FUEL STORAGE CONSEQUENCE ANALYSIS (TAC L21150)

Dear Mr. Parkyn:

On July 15, 2003, Private Fuel Storage, LLC (PFS) submitted to the U.S. Nuclear Regulatory Commission (NRC) its analyses concerning the consequences of an aircraft crash into the proposed PFS Facility. In reviewing those analyses, the NRC staff identified a number of questions concerning the adequacy and/or completeness of those analyses, and met with PFS on August 7, 2003, to provide an early indication of the questions the staff had identified at that time, prior to issuing a formal request for additional information (RAI). On August 15, 2003, the staff issued a detailed RAI concerning the PFS aircraft crash consequence analyses incorporating, to a large extent, the questions raised by the staff in the meeting of August 7. PFS responded to the staff's RAI on September 5, 2003.

The staff has reviewed PFS's responses to the RAIs and has concluded that some of those responses did not clearly provide all of the information and further analyses requested by the staff. By this letter, the NRC staff is issuing a second RAI to identify the additional information and analyses needed for the staff to complete its review and to reach a position on the consequences of an aircraft crash into the proposed PFS Facility.

The NRC staff recognizes that the NRC proceeding on PFS's license application has been ongoing since 1997, and that this remaining issue should be resolved as promptly as possible, consistent with the NRC's obligation to protect public health and safety and the environment. We also recognize, as we have stated on numerous occasions, that PFS must provide complete and adequate responses to the staff's RAIs to avoid unnecessary delay. The NRC staff will meet with PFS on October 2, 2003, to provide any additional clarifications needed by PFS regarding the second RAI, to assure that PFS's responses to this second RAI are complete and adequate, and that no further time is lost in the resolution of this issue.

Portions of the consequence analysis reports PFS submitted in July 2003, as well as the September 2003, response to the first RAI, were determined to contain Safeguards Information, which must be protected from public disclosure. The NRC staff has determined that this RAI does not contain Safeguards Information. Please be sure that consideration is given as to whether information contained in PFS's response to this RAI contains Safeguards Information and, if so, that it is appropriately marked and handled.

J. Parkyn

- 2 -

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

Sincerely,

/RA/

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

Enclosure: Request for Additional Information

Docket No.: 72-22

cc: Service Lists

J. Parkyn

- 2 -

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