



*Private Fuel Storage, LLC*

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Robert M. Palmberg, Chairman of the Board  
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September 12, 2014

DOCKET NO. 72-22  
LICENSE NO. SNM-25 13

Document Control Desk  
Director, Division of Spent Fuel Storage and Transportation  
Office of Nuclear Material Safety and Safeguards  
US Nuclear Regulatory Commission  
Washington DC 20555-0001

**SUBJECT: Withdrawal of Termination Request of NRC License No. SNM-2513 for  
Private Fuel Storage, LLC**

- Reference: 1) Letter, PFS (Palmberg) to NRC (Document Control Desk), "Termination of NRC License No. SMN-2513 for Private Fuel Storage, LLC." dated December 20, 2012
- 2) Letter, NRC (Dyer) to PFS (Parkyn), dated October 9, 2012
  - 3) Letter, NRC (Dyer) to PFS (Palmberg), dated September 27, 2013
  - 4) Letter, PFS (Palmberg) to NRC (Dyer), "Private Fuel Storage, LLC's (PFS) Request for Exemption from Part 171 Annual Fees for Fiscal Year 2014," dated October 29, 2013
  - 5) NRC Federal Register Notice, dated June 30, 2014, Final Fee Rule

The purpose of this letter is to withdraw Private Fuel Storage, LLC's (PFS) request that the Nuclear Regulatory Commission (NRC) terminate License No. SNM-2513 (Reference 1).

PFS' request to terminate the license was due in part to the NRC's denial of a fee exemption in Reference 2. Subsequently, the NRC approved a PFS fee exemption for 2013 (Reference 3); PFS had also requested a fee exemption for 2014 (Reference 4) which was pending. During this time the PFS' request to terminate its license had been on hold.

On June 30, 2014 the NRC published its final fee rule (Reference 5) which went into effect August 29, 2014. As part of this rulemaking the NRC staff examined 10 CFR 171.15(a) regarding independent spent fuel storage installation (ISFSI) licenses and determined that the current regulations were inconsistent with how Part 72 licensees and other classes of licensees were assessed annual fees based on operational status. The

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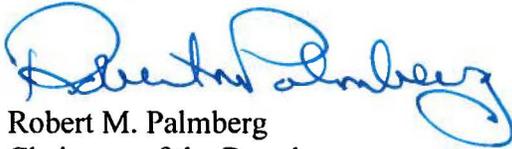
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NRC amended its fee rules making Part 72 licensees to be consistent with other classes of licensees. Accordingly, the fee rules do not require the payment of annual fees until the licensee notifies the Commission of its readiness to operate the facility. PFS would like to commend the Commission and its Staff for resolving this inconsistency.

In PFS' request for exemption from Part 171 annual fees for fiscal year 2014 (Reference 4), PFS indicated that the termination request would be withdrawn if the requested annual fee exemption was granted. The change in the final fee rule discussed above effectively moots PFS' exemption request. PFS accordingly withdraws its December 20, 2012 request to terminate the license.

If you have any questions regarding this matter, please feel free to contact me at (608) 787- 1483 or Terry Pickens at (612) 330- 1906.

Sincerely,



Robert M. Palmberg  
Chairman of the Board

RMP:csb