

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:

PRIVATE FUEL STORAGE, LLC
(Independent Spent Fuel
Storage Installation)

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Docket No. 72-22-ISFSI

ASLBP No. 97-732-02-ISFSI

May 20, 1999

STATE OF UTAH'S REPLY TO NRC STAFF'S RESPONSE
TO APPLICANT'S MOTION FOR SUMMARY DISPOSITION
OF UTAH CONTENTION C (DOSE LIMITS)

Pursuant to the Board's Order dated April 23, 1999, the State of Utah hereby replies to the NRC Staff's Response to Applicant's Motion for Summary Disposition of Utah Contention C (Dose Limits) (May 11, 1999) ("Staff's Response"). With the exception of one issue, the arguments raised by the Staff have already been addressed in State of Utah's Opposition to Applicant's Motion for Summary Disposition of Contention C (May 11, 1999) ("State's Opposition"). However, the State wishes to reply to statements in the Staff's Response which may give the misleading impression that PFS has previously amended its license application in some respect that is relevant to the disposition of Contention C. At page 11 of its Response, the Staff states that:

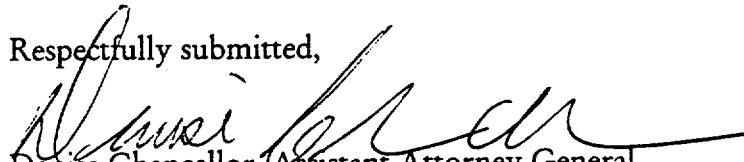
PFS submitted a partial revision to Chapter 8 of its SAR on May 22, 1998; and we understand that PFS has indicated it will submit a further SAR revision in May 1999 that will incorporate its revised accident dose analysis, discussed below.

Staff's Response at 11. A review of PFS's May 1998 revisions to the Safety Analysis Report ("SAR") shows that PFS clarified its original dose calculations, but did not change them. The lack of any change in the original calculations is also reflected in PFS's corresponding response to the NRC's Request for Additional Information, Letter from John D. Parkyn, PFS, to Director, NRC Office of Nuclear Material Safety and Safeguards and Enclosures (May 15, 1998). As of this writing, the State has not received any amendments to the SAR which change PFS's original dose calculations.

The State would also point out that the May 1998 SAR amendment further supports the State's observation that PFS follows the general procedure of amending the SAR when it wishes to change its application. See State's Opposition at 9. Thus, it was reasonable for the State to anticipate that PFS would amend the SAR when it decided to formally include the new calculations into its license application.

DATED this 20th day of May, 1999.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of STATE OF UTAH'S REPLY TO NRC STAFF'S RESPONSE TO APPLICANT'S MOTION FOR SUMMARY DISPOSITION OF UTAH CONTENTION C (DOSE LIMITS) was served on the persons listed below by electronic mail (unless otherwise noted) with conforming copies by United States mail first class, this 20th day of May, 1999:

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