

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE COMMISSION

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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

June 7, 2001

STATE OF UTAH'S REQUEST FOR AN OPPORTUNITY TO BRIEF THE
LICENSING BOARD'S CERTIFIED QUESTION
TO THE COMMISSION IN LBP-01-19

On May 31, 2001 the Licensing Board issued Memorandum and Order (Granting in Part and Denying in Part Summary Disposition Motion Regarding Contention Utah K/Confederated Tribes B, Referring Ruling on Aircraft Crash Hazard Regulatory Standard to the Commission), and referred a portion of that decision to the Commission for its consideration. See LBP-01-19. The Licensing Board granted PFS's request to limit its risk standard to 1E-06. *Id.* at 21. Nevertheless, because of the "significant policy and resource implications" of its risk standard ruling, the Licensing Board certified that portion of its ruling to the Commission. *Id.*

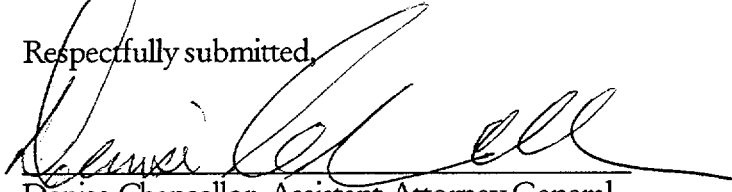
The State respectfully requests the opportunity to brief the Commission on the certified question the Board has placed before it. While the record below contains some information on the risk standard, the State submits that briefs which focus specifically on the appropriate aircraft crash hazard standard will greatly enhance the Commission's review in

this matter.

If the State is permitted to brief the question, the State would not object to the Staff and the Applicant briefing the question at the same time.

Dated this 7th day of June, 2001.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Denise Chancellor", written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the STATE OF UTAH'S REQUEST FOR AN OPPORTUNITY TO BRIEF THE LICENSING BOARD'S CERTIFIED QUESTION TO THE COMMISSION IN LBP-01-19 was served on the persons listed below by electronic mail (unless otherwise noted) with conforming copies by United States mail first class, this 7th day of June, 2001:

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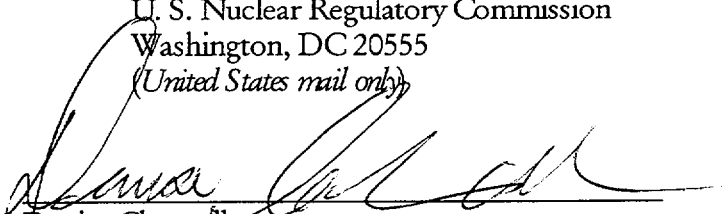
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