

RAS 4945

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE COMMISSION

DOCKETED
USNRC
October 21, 2002 (3:17PM)
OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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|---------------------------------|---|--------------------------|
| In the Matter of: |) | |
| |) | Docket No. 72-22-ISFSI |
| PRIVATE FUELS STORAGE, L.L.C. |) | |
| |) | ASLBP No. 97-732-02-ISFI |
| (Independent Spent Fuel Storage |) | |
| Installation) |) | |
| _____ |) | |

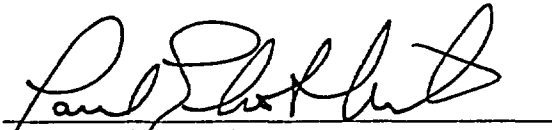
OHNGO GAUDADEH DEVIA ("OGD") JOINDER OF STATE OF
UTAH'S PETITION TO INSTITUTE RULEMAKING AND TO STAY
LICENSING PROCEEDING

On February 11, 2002, the State of Utah filed a petition to institute rulemaking pursuant to 10 CFR 2.802(a), and to stay this licensing proceeding until final resolution of Utah's petition to amend its regulations governing independent spent fuel storage installations ("ISFSIs"), 10 CFR Part 72, to the extent those regulations may be deemed to relate to a privately owned, away-from-reactor, spent nuclear fuel storage facility. Specifically, Utah petitioned that the Commission amend the ISFSI regulations to make clear that licensing is allowed only for federally owned and operated away-from-reactor, spent nuclear fuel ("SNF") storage facilities and not for an away-from-reactor storage facility when privately owned.

Having reviewed the State of Utah's petition to institute rulemaking and to stay this licensing proceeding and the attached appendices, OGD adopts and incorporates by this reference the entirety of the State of Utah's petition to institute rulemaking and to stay this licensing proceeding and all documents filed in support thereof.

For the reasons set forth in Utah's petition to institute rulemaking and incorporated herein by reference, OGD hereby joins and adopts the State of Utah's petition to institute rulemaking and stay this licensing proceeding.

Respectfully submitted this 18th day of October, 2001.



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CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of October, 2002, I caused to be served a true and correct copy of the foregoing by United States Mail, First Class and conforming copies by electronic mail, unless otherwise noted, and addressed to the following:

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