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STATE OF UTAH
OFFICE OF THE ATTORNEY GENERAL



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JAN GRAHAM
ATTORNEY GENERAL

OFFICE OF THE SECRETARY
RULEMAKING AND ADJUDICATIONS

CAROL CLAWSON
Solicitor General

REED RICHARDS
Chief Deputy Attorney General

PALMER DEPAULIS
Chief of Staff

February 27, 1998

Emile L. Julian, Assistant for
Rulemakings and Adjudications
Rulemakings and Adjudications Staff
Office of the Secretary
U.S. Nuclear Regulatory Commission
11555 Rockville Pike, One White Flint North
Mail Stop: O16G15
Washington, D.C. 20555

Re: In the Matter of Private Fuel Storage, LLC, Docket 72-22

Dear Mr. Julian;

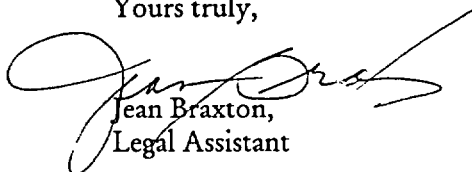
Enclosed are original Declarations which had not been available or were inadvertently omitted at the time two of Utah's pleadings were filed. Since these pleadings contain proprietary information, the original pleadings were sent to you, but the Declarations accompanying those original pleadings were either copies or faxed versions. Please replace the copied or faxed versions of those Declarations with the enclosed original Declarations.

Those pleadings and accompanying Declarations are:

1. "State of Utah's Request for Consideration of Late-Filed Contentions EE and FF," dated December 23, 1997, supported by the Declarations of Lawrence A. White (dated December 22, 1997) and Lawrence L. Holish (dated December 19, 1997) (originals enclosed), Exhibits 25 and 26 respectively; and
2. "State of Utah's Reply to the NRC Staff's and Applicant's Responses to State of Utah's Contentions EE and GG, and Notice of Withdrawal of Contention FF," dated February 11, 1998, supported by the Declaration of Lawrence L. Holish (dated February 9, 1998) (original enclosed), Exhibit 1.

Enclosed also is a copy of the first page of each pleading for your convenience.

Yours truly,



Jean Braxton,
Legal Assistant

Enclosures: as stated

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SECY-02

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	Docket No. 72-22-ISFSI
)	
PRIVATE FUEL STORAGE, LLC)	ASLBP No. 97-732-02-ISFSI
(Independent Spent Fuel)	
Storage Installation))	December 23, 1997

STATE OF UTAH'S REQUEST FOR CONSIDERATION
OF LATE-FILED CONTENTIONS EE AND FF

Introduction

Pursuant to 10 C.F.R. §§ 2.714(a)(1) and (b)(1), the State of Utah hereby requests consideration of Contentions EE and FF. These contentions address issues raised by the vendor's proprietary reports on seismic stability and radiation shielding for the Holtec HI STORM cask, which the State received under a confidentiality agreement on November 13, 1997. These reports are HI-971631, Multi-Cask Seismic Response at the PSF [sic] ISFSI, (May 19, 1997) (hereinafter "Holtec Seismic Report"), and HI-971645, Radiation Shielding Analysis for the Private Fuel Storage Facility (March 1997) (hereinafter "Holtec Radiation Shielding Report").

The State submits that it satisfies the criteria for late-filing of these contentions under 10 C.F.R. § 2.714(a)(1):

First, the State has good cause for late filing, because the State was not able to

Exhibit 25

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Lawrence A. White 12/22/97
Lawrence A. White Date

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

G. Paul Bollwerk, III, Chairman
Dr. Jerry R. Kline
Dr. Peter S. Lam

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

DECLARATION OF LAWRENCE L. HOLISH, P.E.

1. I am employed as head of the Engineering Division at Versar, Inc Midwest Regional Office. I have extensive experience in geotechnical engineering and seismic analysis for nuclear power plants and oher facilities. A copy of my resume, which further describes my qualifications, is attached.

2. I am familiar with Private Fuel Storage's ("PFS's") Safety Analysis Report and the design of the casks that PFS proposes to use at its Private Fuel Storage Facility ("PFSF"). I am also familiar with the seismic analysis prepared by Holtec, which is relied on by PFS in support of its license application.

3. I assisted in the preparation of, and have reviewed, the State of Utah's Contention EE, regarding Failure to Demonstrate Cask-Pad Stability During a Seismic Event. The technical facts presented in that contention are true and correct to the best of my knowledge, and the conclusions drawn from those facts are based on my best professional judgment.

Laurence L. Polish

Lawrence L. Holish, P.E.

December 19, 1997

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

February 11, 1998

STATE OF UTAH'S REPLY TO THE NRC STAFF'S
AND APPLICANT'S RESPONSES TO
STATE OF UTAH'S CONTENTIONS EE and GG,
AND NOTICE OF WITHDRAWAL OF CONTENTION FF

In accordance with the Licensing Board's Memorandum and Order of February 2, 1998, the State of Utah hereby replies to the Responses filed by the NRC Staff (Staff) and the Applicant on January 9, 1998 with respect to Contentions EE, and the Responses filed by the Staff and Applicant on January 20, 1998 with respect to Contention GG. With respect to Contentions EE and GG, this Reply is supported by the Declaration of Lawrence Holish, PE, Versar, Inc., attached hereto as Exhibit 1.

The State also hereby notifies the Board and parties of its withdrawal of Contention FF. By withdrawing the contention, however, the State does not accede to any of the arguments made by the Applicant and Staff regarding its admissibility and of the State's good cause to file it late.

Exhibit 1

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

G. Paul Bollwerk, III, Chairman
Dr. Jerry R. Kline
Dr. Peter S. Lam

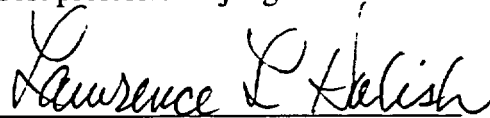
In the Matter of)	
)	Docket No. 72-22-ISFSI
PRIVATE FUEL STORAGE, LLC)	
)	ASLBP No. 97-732-02-ISFSI
(Independent Spent)	
Fuel Storage Installation))	February 9, 1998

DECLARATION OF LAWRENCE L. HOLISH, P.E.

1. I am employed as head of the Engineering Division at Versar, Inc. Midwest Regional Office. I have extensive experience in geotechnical engineering and seismic analysis for nuclear power plants and other facilities. A copy of my resume, which further describes my qualifications, is attached as Exhibit 26 to State of Utah's Contention EE, filed December 23, 1997.

2. I am familiar with Private Fuel Storage's ("PFS's") Safety Analysis Report and the design of the casks that PFS proposes to use at its Private Fuel Storage Facility ("PFSF"). I am also familiar with the seismic analyses prepared by Holtec and Sierra Nuclear, which are relied upon by PFS in support of its license application.

3. I assisted in the preparation of, and have reviewed, the State of Utah's Reply to Applicant's and NRC Staff's Response to State's Contentions EE and GG regarding Failure to Demonstrate Cask-Pad Stability During a Seismic Event. The technical facts presented in this Reply are true and correct to the best of my knowledge, and the conclusions drawn from those facts are based on my best professional judgment.



Lawrence L. Holish, P.E.

Date February 9, 1998