

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**DOCKETED 04/21/04**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
PRIVATE FUEL STORAGE, L.L.C. )  
 )  
(Independent Spent )  
Fuel Storage Installation) )

Docket No. 72-22-ISFSI

NRC STAFF'S RESPONSE TO "APPLICANT'S MOTION FOR STAY  
PENDING COMMISSION REVIEW OF PUBLIC DISCLOSURE OF CERTAIN  
INFORMATION RELATING TO CONTENTION UTAH E/CONFEDERATED TRIBES F"

Pursuant to 10 C.F.R. § 2.788(d) and the Atomic Safety and Licensing Board's Order of April 5, 2004, the NRC staff ("Staff") hereby files its response to the "Applicant's Motion For Stay Pending Commission Review of Public Disclosure of Certain Information Relating to Contention Utah E/Confederated Tribes F" ("Stay Motion"), filed on April 15, 2004.<sup>1</sup> In its Stay Motion, as supplemented by its April 16, 2004, Clarification and Correction, the Applicant requests that the Licensing Board stay, pending Commission review, the implementation of its March 31, 2004 Memorandum and Order concerning the redaction and public disclosure of certain financial assurance matters. The Staff does not oppose the Applicant's Stay Motion.

Respectfully submitted,

**/RA/**

Catherine L. Marco  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 20<sup>th</sup> day of April, 2004

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<sup>1</sup> The Applicant filed a clarification and correction to its Stay Motion on April 16, 2004. See "Clarification and Correction to Applicant's Motion For Stay Pending Commission Review of Public Disclosure of Certain Information Relating to Contention Utah E/Confederated Tribes F" ("Clarification and Correction"), dated April 16, 2004.

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S RESPONSE TO 'APPLICANT'S MOTION FOR STAY PENDING COMMISSION REVIEW OF PUBLIC DISCLOSURE OF CERTAIN INFORMATION RELATING TO CONTENTION UTAH E/CONFEDERATED TRIBES F,'" in the above captioned proceeding have been served on the following through deposit in the NRC's internal mail system, with copies by electronic mail, as indicated by an asterisk, or by deposit in the U.S. Postal Service, as indicated by double asterisk, with copies by electronic mail this 20th day of April, 2004:

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**/RA/**

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