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March 13, 1997

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G. Paul Bollwerk, Esq.
Administrative Judge
Atomic Safety and
Licensing Board (ASLB)
U.S. Nuclear Regulatory
Commission (NRC)
Washington, D.C. 20555

Dr. Charles N. Kelber
Administrative ~~Office~~ OF SECRETARY
Atomic Safety and DOCKETING & SERVICE
Licensing Board BRANCH
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

In the Matter of
Moab, Utah Facility, License SUA-917
(Request for Extension of Site Reclamation Plan Milestone)
Docket No. 40-3453-MLA
ASLBP No. 97-723-02-MLA

Dear Administrative Judges:

Presented below is a third response to the Presiding Officer's Memorandum and Order (Initial Order) dated February 12, 1997, and a request that corrections to undersigned's first and second response be allowed.

The undersigned would respectfully request that a Memorandum of Understanding (MOU) (56 Fed. Reg. 55432, 55434-55435, October 25, 1991) ride with the record of the present proceeding. Such MOU is mentioned and is relied upon even by License SUA-917 Condition 55, which is proposed to be amended by the December 20, 1996 Application at issue herein.

The undersigned would respectfully request that the Presiding Officer allow certain corrections - Page 2, paragraph 3 of the undersigned's February 24 first response, as corrected, should in part read:

Further, there is no information presented that License SUA-917 Condition 55 (Amendment 17), as amended (Amendments 21, 25, 26, 27), is presently, or has ever been, brought forward by a licensee initiated amendment.

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And, the last sentence of page 2, paragraph 5 of the undersigned's March 3 second response should read:

Such "Applicable Amendments" appear to have amended Condition 55 (Amendment 17).

Errata

Undersigned's first response (February 24, 1997) to the Initial Order:

Page 1, paragraph 1, line 2, "February 13, 1997" should read: February 12, 1997.

Page 2, paragraph 3, line 11, "absense" should read: absence

Undersigned's second response (March 3, 1997) to the Initial Order:

Page 3, paragraph 3, line 3, "2 and 3." should read: 2., and 3.

Page 8, paragraph 2, line 1, "Thw" should read: The

Page 8, paragraph 3, line 6, "aluded" should read: alluded

Affirmant



John Francis Darke
Member of Public

At Moab, Grand County, Utah
Thursday, March 13, 1997

cc: Service list w/Certificate of Service

JD 3/13

In the Matter of

Moab, Utah Facility
License SUA-917

(Request for License Amendment)

DOCKETED
USNRC
Docket No. 40-3493-MR-14 A9:04

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

CERTIFICATE OF SERVICE

Office of Commission Appellate
Adjudication
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Washington, D.C. 20555

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Secretary *
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555
Attention: Chief,
Docketing and Service Branch

I hereby certify that copies of the foregoing Third Response, Correction of Error, and Errata have been served on the above persons by U.S. mail, first class, in accordance with the requirements of 10 C.F.R. 2.1203(c), 2.701(b), and 2.1203(e). Those starred have been sent a preliminary facsimile copy (PFC). Anthony J. Thompson, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, N.W., Washington, D.C. 20037-1128, has also received a PFC. *JD 3/13*

Dated at Moab, Utah this
13th day of March 1997

John Francis Darke
John Francis Darke