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March 2, 1998

Administrative Judge G. Paul Bollwerk, Chairman
Administrative Judge Jerry R. Kline
Administrative Judge Peter S. Lam
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

In the Matter of Private Fuel Storage L.L.C.
(Private Fuel Storage Facility)
Docket No. 72-22
ASLBP No. 97-732-02-ISFSI

Dear Chairman Bollwerk and Judges Kline and Lam:

The Applicant Private Fuel Storage L.L.C. ("Applicant" or "PFS") has reached agreement with the State of Utah ("State") on the wording of State Contention EE and State Contention Security-F. The substance of our agreement is as follows:

Wording of State Contention EE:

The agreed upon wording of this contention is as set forth on pages 25-27 of the "State of Utah's Reply to 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, with the following exceptions:

- In subpart 2: Insert the words "from the Holtec Seismic Report" after the word "verify," in the first line, such that the entire subpart reads:
 2. It is impossible to verify from the Holtec Seismic Report if the three independent components of seismic time histories have been properly and conservatively evaluated such that three statistically independent time histories were used in the Holtec Report.

- In subpart 4.a.: Insert the word "more" between the words "on" and "comprehensive," in the first line, such that the entire subpart would read:
 - a. A reliable seismic analysis should be based on more comprehensive knowledge of soil types; soil features, such as stratigraphy; and measurements of each soil type's ability to respond to dynamic loading, such as dynamic passive resistance, damping, Young's modulus, and Poisson's ratio.

Wording of State Contention Security-F:

The agreed upon wording of this contention is as set forth on pages 19-20 of the "State of Utah's Reply to NRC Staff and Applicant's Responses to Utah's Security Plan Contentions Security-A through Security-I," dated February 11, 1998, with the following exceptions (the following does not contain safeguards information):

- In subpart (a): Change the ",", after § 72.180 to the word "for" such that the entire subpart reads:
 - (a) The Security Plan must address the applicable requirements of Part 73 and 10 CFR § 72.180 for transportation to and from the proposed ISFSI.
- In subpart (c): Insert the word "regulatory" between the words "essential" and "components," such that the entire subpart reads:
 - (c) The Security Plan fails to address essential regulatory components for providing security at the intermodal transfer facility.

As set forth in "Applicant's Answer to State of Utah's Reply Concerning Late-Filed Contentions EE and GG," dated February 23, 1998 the Applicant does not object to the State's rephrasing of Contention GG and Security Contentions E, H and I as set forth in the State's February 11, 1998 reply. The Applicant and State do, however, have one small agreed upon correction to the

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wording of State Contention Security-I, as provided on page 23 of the State's February 11, 1998 reply. In subpart (a) of Security-I the number "100" should be changed to "110," such that the contention reads "... any or all of the 110 reactor sites."

Respectfully,

Ernest Blake PAX

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Attention: Rulemakings and Adjudications
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Paul A. Gaukler

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
PRIVATE FUEL STORAGE L.L.C.)	Docket No. 72-22
)	
(Private Fuel Storage Facility))	ASLBP No. 97-732-02-ISFSI

CERTIFICATE OF SERVICE

I hereby certify that copies of the letter from Ernest L. Blake to the Licensing Board dated March 2, 1998, were served on the persons listed below (unless otherwise noted) by e-mail with conforming copies by U.S. mail, first class, postage prepaid, this 2nd day of March, 1998.

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