

March 18, 1998

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-ISFSI
)
(Independent Spent)
Fuel Storage Installation))

NRC STAFF'S RESPONSE TO MEMORANDUM AND ORDER
(REQUEST FOR INFORMATION REGARDING CONTENTIONS
INVOLVING PROPRIETARY AND SAFEGUARDS MATERIAL)
DATED MARCH 9, 1998

In accordance with the Licensing Board's request, in Paragraph B of its "Memorandum and Order (Request for Information Regarding Contentions Involving Proprietary and Safeguards Material)" ("Order"), dated March 9, 1998 (at 3), the NRC Staff ("Staff") hereby wishes to inform the Licensing Board that it does not object to publication of the wording of Utah Contentions Security A through Security I. This conclusion is based upon the Staff's determination that the wording of these contentions does not contain safeguards information. Counsel for Private Fuel Storage L.L.C. and for the State of Utah have authorized the Staff to state that they do not object to this determination.¹

In addition, as requested in Paragraph "C" of the Licensing Board's Order (at 3), the Staff is transmitting to the Licensing Board Chairman herewith, a diskette containing the following documents:

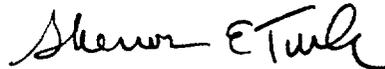
- (1) "NRC Staff's Response to State of Utah's Request for Consideration of Late-Filed Contention GG," dated January 20, 1998; and

¹ The Staff notes that it does not object to publication of the wording of Utah Contentions EE and GG, based upon Counsel for PFS' representation that Holtec International and Sierra Nuclear Corp., the owners of the protected information in question, have stated that they do not object to publication of the wording of those contentions.

(2) "NRC Staff's Response to '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 23, 1998.

The Staff notes that a further document concerning these contentions, entitled "NRC Staff's Response to State of Utah's Request for Consideration of Late-Filed Contentions EE and FF," dated January 9, 1998, was served by E-mail and is not included in the enclosed diskette. In addition, on January 20, 1998, the Staff transmitted to the Licensing Board a diskette containing the "NRC Staff's Response to State of Utah's Security Plan Contentions," dated January 20, 1998; accordingly, a diskette containing that document is not being transmitted to the Licensing Board at this time.

Respectfully submitted,



Sherwin E. Turk
Counsel for NRC Staff

Dated at Rockville, Maryland
this 18th day of March 1998

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S RESPONSE TO MEMORANDUM AND ORDER (REQUEST FOR INFORMATION REGARDING CONTENTIONS INVOLVING PROPRIETARY AND SAFEGUARDS MATERIAL) DATED MARCH 9, 1998" in the above captioned proceeding have been served on the following through deposit in the Nuclear Regulatory Commission's internal mail system, or by deposit in the United States mail, first class, as indicated by an asterisk, with copies by electronic mail as indicated, this 18th day of March, 1998:

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