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**BY OVERNIGHT MAIL**

July 27, 1999

Ms. Denise Chancellor  
Assistant Attorney General  
State of Utah  
160 East 300 South, 5<sup>th</sup> Floor  
P.O. Box 140873  
Salt Lake City, UT 84114-0873

Subject: Revision 9 to HI-STORM 100 Topical Safety Analysis Report

References: Private Fuel Storage, LLC; Holtec Project No. 70651

Dear Ms. Chancellor:

Enclosed please find one uncontrolled copy of Revision 9 to the HI-STORM 100 Topical Safety Analysis Report (TSAR). Revision 9 also includes changes made in Revisions 7 and 8 during the final licensing interactions between Holtec and the NRC over the past couple of months. A summary of changes for Revisions 7, 8, and 9 is included behind the cover letter in the front of Volume 1. Revision 9 completely replaces Revision 6, currently in your possession. Therefore, your copy of Revision 6 should be destroyed or returned to Holtec at your earliest convenience.

Please note that TSAR Revision 9 is non-proprietary, therefore, a revision to the Confidentiality Agreement between Holtec and the State of Utah is not necessary.

In accordance with our previous agreement, Holtec will invoice the State of Utah \$1,500 for this two-volume TSAR document under separate correspondence to cover costs associated with the copying and shipment of these large documents.

If you have any questions, please contact me at (609) 797-0900, extension 668.

Sincerely,

Brian Gutherman  
Project Manager

Enclosure: One uncontrolled copy of Revision 9 to HI-STORM 100 TSAR



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Ms. Denise Chancellor  
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cc: Max DeLong, PFS (w/o encl.)  
Jay Silberg, Shaw, Pittman, Potts, and Trowbridge (w/o encl.)

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of:	)	Docket No. 72-22-ISFSI
	)	
PRIVATE FUEL STORAGE, LLC	)	ASLBP No. 97-732-02-ISFSI
(Independent Spent Fuel	)	
Storage Installation)	)	August 18, 1999

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**STATE OF UTAH'S REPLY TO APPLICANT'S  
AND NRC STAFF'S RESPONSES TO AMENDED CONTENTION Q  
AND NOTICE OF WITHDRAWAL OF AMENDED CONTENTION Q**

In an Order of August 9, 1999, the Licensing Board granted the State of Utah's request for leave to reply to the Applicant's and NRC's Responses to Amended Contention Q, which the State filed on July 22, 1999. Applicant's Response to State of Utah's Request for Admission of Late-filed Amended Utah Contention Q (August 6, 1999); NRC Staff's Response to State of Utah's Request for Admission of Late-filed Amended Utah Contention Q (August 5, 1999).

On consideration of the Applicant's and Staff's Responses, the State has determined that the issue raised by Amended Contention Q — whether the Applicant must perform a new cask stability analysis based on information contained in NRC guidance document ISG-12 — has been mooted by the Applicant's apparent endorsement of a revised cask stability analysis submitted to the Staff by Holtec on June 8, 1999. See Applicant's Response at 8, *citing* Section 3.5 of Revision 7 to the Topical Safety Analysis ("TSAR") for the HI-STORM storage cask. Although the Applicant has not revised its

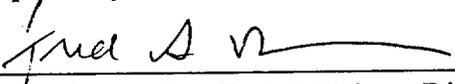
own Safety Analysis Report to reflect the adoption of this new analysis (*see* Staff's Response at 11, note 12), the State reasonably infers from the content of the Applicant's Response that the Applicant intends to adopt it.

The State and its expert are in the process of evaluating revised Section 3.5 of the Holtec TSAR, which was attached as Exhibit 5 to the Applicant's Response. Based on its review so far, the State believes that the analysis is inadequate to demonstrate the adequacy of the PFS design to protect against storage cask accidents. Therefore, the State intends shortly to file a Second Amended Contention Q, which will address its concerns.

Accordingly, the State is withdrawing Amended Contention Q. Under the circumstances, it would be inappropriate to respond here to the numerous arguments raised by the Applicant and Staff regarding the admissibility of the contention and the State's justification for late-filing. To the extent that they have not been mooted by the Applicant's adoption of Holtec's revised cask stability analysis, these issues will be addressed in the State's Second Amended Contention Q.

DATED this 18<sup>th</sup> day of August, 1999.

Respectfully submitted,

  
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CERTIFICATE OF SERVICE

I hereby certify that a copy of STATE OF UTAH'S REPLY TO APPLICANT'S AND NRC STAFF'S RESPONSES TO AMENDED CONTENTION Q AND NOTICE OF WITHDRAWAL OF AMENDED CONTENTION Q was served on the persons listed below by electronic mail (unless otherwise noted) with conforming copies by United States mail first class, this 18<sup>th</sup> day of August, 1999:

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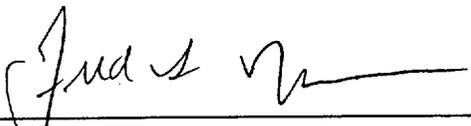
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