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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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 31, 2000

**STATE OF UTAH'S MOTION FOR LEAVE TO REPLY
TO APPLICANT'S AND STAFF'S RESPONSES
TO LATE-FILED CONTENTIONS LL THROUGH OO**

The State of Utah hereby moves for leave to reply to the Applicant's and NRC Staff's responses to State of Utah's Request for Admission of Late-filed Contentions Utah LL Through OO (Relating to the DEIS's Analysis of Spent Fuel Transportation Risks) (August 2, 2000). See Applicant's Response to State of Utah's Request for Admission of Late-filed Contentions Utah LL Through OO (August 30, 2000); NRC Staff's Response to State of Utah's Request for Admission of Late-filed Contentions Utah LL Through OO (August 30, 2000). The Applicant and Staff oppose the admission of the contentions, on grounds of both lateness and admissibility.

The Applicant and Staff make various arguments to the effect that the State has not met the standard in 10 C.F.R. § 2.714(b)(2)(iii) with respect to whether the contentions could have been filed several years ago, in connection with the publication of the Applicant's Environmental Report. They also oppose the admission of all four contentions on technical grounds. The State strongly disagrees with the position taken by the Applicant and Staff, and seeks an opportunity to respond. The State submits that an opportunity for a reply is

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needed in order to ensure that the Board has a complete record for making a decision on the complex and novel issues of timing and admissibility that are involved here.

The State requests that it be given until Thursday, September 7 to file a reply. This time period is warranted, given (a) the occurrence of a federal holiday on September 5 and (b) the large volume of the pleadings to which the State must respond, which totals 64 pages in all.

The State has consulted with counsel for the Applicant and Staff, who do not object to this request.

DATED this 31st day of August, 2000.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of STATE OF UTAH'S MOTION FOR LEAVE TO REPLY TO APPLICANT'S AND STAFF'S RESPONSES TO LATE-FILED CONTENTIONS LL THROUGH 00 were served on the persons listed below by electronic mail (unless otherwise noted) with conforming copies by United States mail first class, this

31st day of August, 2000:

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A handwritten signature in black ink, appearing to read "Denise Chancellor", written over a horizontal line.

Denise Chancellor
Assistant Attorney General
State of Utah