

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE COMMISSION

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of:)	Docket No. 72-22-ISFSI
PRIVATE FUEL STORAGE, LLC)	ASLBP No. 97-732-02-ISFSI
(Independent Spent Fuel)	
Storage Installation))	February 7, 2001

STATE OF UTAH'S REQUEST TO THE COMMISSION FOR AN
OPPORTUNITY TO BRIEF THE LICENSING BOARD'S CERTIFIED
QUESTION TO THE COMMISSION IN LBP-01-03

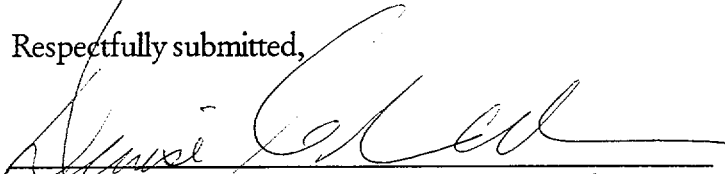
On January 31, 2001 the Licensing Board ruled on the admissibility of Late-Filed Modification of Contention Utah L, Geotechnical, Basis 2 and certified to the Commission the question of admissibility of the modification and whether it should be litigated in the proceeding before the Board. See LBP-01-03. The crux of the issue in LBP-01-03 relates to the Staff's position that PFS should be granted a requested exemption from Part 72 regulatory requirements relating to the methodology for conducting a seismic hazard analysis.

The State has made two previous direct attempts to bring this issue before the Board but only now has the Board ruled the issue is ripe for consideration. Because the State's concerns are disbursed over pleadings filed commencing in April 1999, the State believes it would be expedient for the Commission to have the State's concerns summarized in one document. The State, therefore, requests permission to brief the Commission on the

certified question in LBP-01-03. If the State is permitted to brief the question, the State would not object to the Staff and the Applicant briefing the question at the same time.

Dated this 7th day of February, 2001.

Respectfully submitted,

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

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CERTIFICATE OF SERVICE

I hereby certify that a copy of STATE OF UTAH'S REQUEST TO THE COMMISSION FOR AN OPPORTUNITY TO BRIEF THE LICENSING BOARD'S CERTIFIED QUESTION TO THE COMMISSION IN LBP-01-03 was served on the persons listed below by electronic mail (unless otherwise noted) with conforming copies by United States mail first class, this 7th day of February, 2001:

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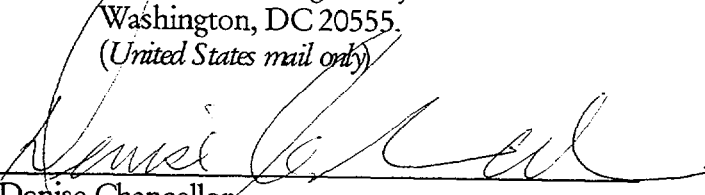
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