

Department of Environmental Quality
Office of the Executive Director

RECEIVED

7:02 OCT 24 PM 2:49

Rules and Directives
Branch
US 40

4/26/02
67 FR 48956
4

Michael O. Leavitt
Governor
Dianne R. Nielson, Ph.D.
Executive Director
Brent C. Bradford
Deputy Director

168 North 1950 West
P.O. Box 144810
Salt Lake City, Utah 84114-4810
(801) 536-4400
(801) 536-0001 Fax
(801) 536-4414 T.D.D.
www.deq.utah.gov

October 21, 2002

Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Attention: Rulemaking and Adjudications Staff

Dear Secretary:

Re: Part 72 Proposed Rule to Amend Seismic Siting and Design Criteria Comments

On behalf of the state of Utah, I am submitting the attached comments concerning Part 72 Proposed Rule to Amend Seismic Siting and Design Criteria, published in the Federal Register on July 22, 2002, and accompanying draft guidance, DG 3021, published in the Federal Register on July 26, 2002. The state of Utah has a significant stake on the outcome of the proposed rulemaking and accompanying guidance because it directly relates to the seismic issues the State has raised in the Private Fuel Storage (PFS) ISFSI licensing proceeding. As such excerpts are attached from the PFS hearing transcript Utah's Proposed Findings of Fact and Conclusions of Law, and Utah's Reply to PFS and Staff's Proposed Findings of Fact and Conclusions of Law.

Best regards,

Dianne R. Nielson, Ph.D.
Executive Director

Enclosures

Template = ADM - 013

E-RIDS = ADM - 03
Ced = M. Shah (MSS3)
T. Clark (TLC)