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USNRC

March 13, 1997

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G. Paul Bollwerk, Esq.  
Administrative Judge  
Atomic Safety and  
Licensing Board (ASLB)  
U.S. Nuclear Regulatory  
Commission (NRC)  
Washington, D.C. 20555

Dr. Charles N. Kelber  
Administrative ~~OFFICE~~ OF SECRETARY  
Atomic Safety and DOCKETING & SERVICE  
Licensing Board BRANCH  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

In the Matter of  
Moab, Utah Facility, License SUA-917  
(Request for Extension of Site Reclamation Plan Milestone)  
Docket No. 40-3453-MLA  
ASLBP No. 97-723-02-MLA

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Dear Administrative Judges:

Presented below is a third response to the Presiding Officer's Memorandum and Order (Initial Order) dated February 12, 1997, and a request that corrections to undersigned's first and second response be allowed.

The undersigned would respectfully request that a Memorandum of Understanding (MOU) (56 Fed. Reg. 55432, 55434-55435, October 25, 1991) ride with the record of the present proceeding. Such MOU is mentioned and is relied upon even by License SUA-917 Condition 55, which is proposed to be amended by the December 20, 1996 Application at issue herein.

The undersigned would respectfully request that the Presiding Officer allow certain corrections - Page 2, paragraph 3 of the undersigned's February 24 first response, as corrected, should in part read:

Further, there is no information presented that License SUA-917 Condition 55 (Amendment 17), as amended (Amendments 21, 25, 26, 27), is presently, or has ever been, brought forward by a licensee initiated amendment.

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And, the last sentence of page 2, paragraph 5 of the under-  
signed's March 3 second response should read:

Such "Applicable Amendments" appear to have  
amended Condition 55 (Amendment 17).

Errata

Undersigned's first response (February 24, 1997) to the  
Initial Order:

Page 1, paragraph 1, line 2, "February 13, 1997" should  
read: February 12, 1997.

Page 2, paragraph 3, line 11, "absense" should read:  
absence


Undersigned's second response (March 3, 1997) to the Initial  
Order:

Page 3, paragraph 3, line 3, "2 and 3." should read:  
2., and 3.

Page 8, paragraph 2, line 1, "Thw" should read: The

Page 8, paragraph 3, line 6, "aluded" should read:  
alluded

Affirmant

  
\_\_\_\_\_  
John Francis Darke  
Member of Public

At Moab, Grand County, Utah  
Thursday, March 13, 1997

cc: Service list w/Certificate of Service

*JD* 3/13

DOCKETED  
USNRC

In the Matter of

Moab, Utah Facility  
License SUA-917

Docket No. 40-34973-MRA14 A9:04

(Request for License Amendment)

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

CERTIFICATE OF SERVICE

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Administrative Judge \*  
G. Paul Bollwerk, III  
Presiding Officer  
Atomic Safety and  
Licensing Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

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Secretary \*  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555  
Attention: Chief,  
Docketing and Service Branch

I hereby certify that copies of the foregoing Third Response, Correction of Error, and Errata have been served on the above persons by U.S. mail, first class, in accordance with the requirements of 10 C.F.R. 2.1203(c), 2.701(b), and 2.1203(e). Those starred have been sent a preliminary facsimile copy (PFC). Anthony J. Thompson, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, N.W., Washington, D.C. 20037-1128, has also received a PFC.

*JD*  
3/13

Dated at Moab, Utah this  
13th day of March 1997

*John Francis Darke*  
\_\_\_\_\_  
John Francis Darke