



# State of Utah

DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF THE EXECUTIVE DIRECTOR

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Michael O. Leavitt  
Governor

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*Attached comments may contain proprietary information.*

*EJF*

*12/16/99*

December 6, 1999

Hand Delivered

Emile L. Julian, Assistant for  
Rulemakings and Adjudications  
Rulemakings and Adjudications Staff  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
11555 Rockville Pike, One White Flint North  
Mail Stop: O16G15  
Washington, D.C. 20555

DOCKET NUMBER  
PROPOSED RULE 72  
(64FR51271)

re: State of Utah's Comments on NRC's Proposed Approval of the Holtec Hi-Storm 100  
Cask System, Docket No. 72-1014

Dear Secretary:

Attached are the State of Utah's comments on the Staff's preliminary Safety Evaluation Report of the Holtec SAR and proposed Certificate of Compliance for the Holtec Hi-Storm 100 cask system. The comments may contain information claimed as proprietary by Holtec International. See cover page of State's Comments for further explanation.

If you have any questions or need further clarification on any comment please contact me at 801-366-0523.

Sincerely,

*Connie S. Nakahara*

Connie S. Nakahara

enclosures: as stated

cc: Brian Gutherman, Holtec International  
Sherwin Turk, NRC Staff Counsel  
Jay E. Silberg, Shaw Pittman Potts & Trowbridge

PPR PR 72 64FR51271

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The comments of the State of Utah may, according to the State of Utah, contain commercial confidential or proprietary information. Thus, the comments are being retained in the Office of the Secretary files.

STATE OF UTAH  
OFFICE OF THE ATTORNEY GENERAL



JAN GRAHAM  
ATTORNEY GENERAL

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REED RICHARDS  
Chief Deputy Attorney General

December 6, 1999

Mr. Brian Gutherman  
Project Manager  
Holtec International  
Holtec Center  
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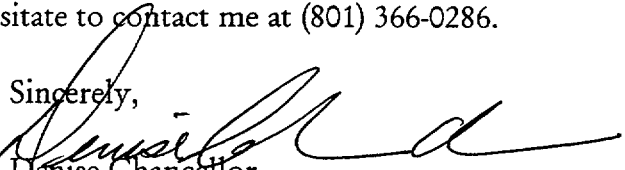
re: State of Utah's Comments of the Hi-Storm 100 cask system  
and the State-Holtec Confidentiality Agreement

Dear Mr. Gutherman:

Attached is a copy of the comments the State submitted today to the Mr. Emile Julian at the NRC on the NRC Staff's proposal to add the Holtech Hi-Storm 100 cask system to the list of approved spent fuel storage casks. To the extent that any of the information contained in the State's comments may have been obtained exclusively from documents the State received under the Holtec-State confidentiality agreement, the State submitted its comments to the NRC as a proprietary submittal. You should note, however, that the State cannot make any representations on your behalf as to the proprietary nature of information that Holtec claims to be proprietary. See cover sheet to the State's comments. Therefore, for these comments I used the same format as I have used in the PFS proceeding; namely the State submits the document as a proprietary submittal to NRC, then the entity claiming the privilege that NRC should withhold the document from the public record must take whatever steps are necessary to support the privilege.

If you have any questions, please do not hesitate to contact me at (801) 366-0286.

Sincerely,



Denise Chancellor  
Assistant Attorney General

cc. Emile Julian, Rulemaking and Adjudication, NRC.  
Sherwin Turk, Esq., Office of General Counsel, NRC  
Jay Silberg, Esq. and Paul Gaukler, Esq., Shaw, Pittman