

4B

**From:** Brian Gutherman <Brian\_Gutherman@holtec.com>  
**To:** OWFN\_DO.owf5\_po(SECY)  
**Date:** Thu, Jan 6, 2000 5:14 PM  
**Subject:** Review of Utah Comments

DOCKETED  
USMPS

'00 FEB -1 A11:15

To Whom it May Concern:

I have reviewed the State of Utah's comments on the HI-STORM 100 System rulemaking (Reference letters dated 12/6/99 and 12/14/99) and have determined that no Holtec International proprietary information is contained in either letter.

OFFICE OF THE  
GENERAL COUNSEL  
ADMINISTRATIVE SERVICES

If you require additional information, please contact me at the phone number shown below.

**DOCKET NUMBER**  
**PROPOSED RULE** **PR 72**  
**(64FR51271)**

Brian Gutherman  
\*\*\*\*\*

Brian Gutherman, P.E.  
Licensing Manager  
Holtec International  
Holtec Center  
555 Lincoln Drive West  
Marlton, NJ 08053

Phone: (856) 797-0900, ext. 668  
Fax: (856) 797-0909  
email: brian\_gutherman@holtec.com

DS10

# STATE OF UTAH

OFFICE OF THE ATTORNEY GENERAL



JAN GRAHAM  
ATTORNEY GENERAL

JAMES R. SOPER  
Solicitor General

REED RICHARDS  
Chief Deputy Attorney General

December 6, 1999

Mr. Brian Gutherman  
Project Manager  
Holtec International  
Holtec Center  
555 Lincoln Drive West  
Marlton NJ 08053

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