

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'00 FEB 16 A10:08

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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, 2000

**STATE OF UTAH'S UNOPPOSED REQUEST TO MODIFY DEPOSITION
SCHEDULE FOR UTAH CONTENTION H**

The State of Utah hereby requests an extension of the February 15, 2000, deadline for taking discovery against the NRC Staff on Contention H, so that it can take the deposition of NRC Staff member Jack Guttman on March 10, 2000. The State and Private Fuel Storage L.L.C. ("PFS") had previously arranged to conduct depositions of their experts regarding Contention H on March 8 and 9, 2000. By scheduling the Guttman deposition for March 10, the State hopes to be able to consolidate its depositions on Contention H into one three-day period.

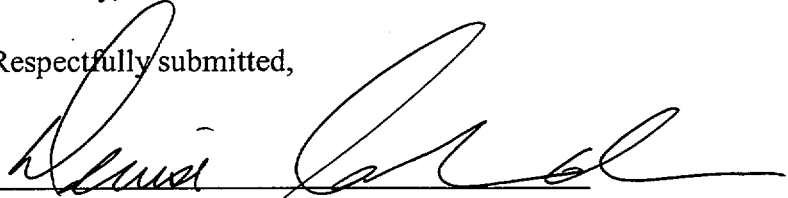
The State notes that it has an outstanding discovery dispute with the NRC Staff regarding the scope of knowledge required of the NRC Staff deponent. The Staff has agreed to produce an individual who is knowledgeable about the PFS thermal design and the Holtec HI-STORM 100 thermal design. The State also seeks to depose an individual who is knowledgeable about the HI-STAR 100 thermal design. The State is attempting to resolve this issue informally with the Staff, but anticipates that it may be necessary to come back to the Board for permission to schedule the deposition of another NRC Staff

witness regarding Contention H. It is not yet clear whether this will be necessary.

Neither the NRC Staff nor PFS objects to the requested extension.

DATED this 7th day of February, 2000.

Respectfully submitted,

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

Denise Chancellor, Assistant Attorney General
Fred G Nelson, Assistant Attorney General
Connie Nakahara, Special Assistant Attorney General
Diane Curran, Special Assistant Attorney General
Laura Lockhart, Assistant Attorney General
Attorneys for State of Utah
Utah Attorney General's Office
160 East 300 South, 5th Floor, P.O. Box 140873
Salt Lake City, UT 84114-0873
Telephone: (801) 366-0286, Fax: (801) 366-0292

CERTIFICATE OF SERVICE

'00 FEB 16 10:09

I hereby certify that a copy of STATE OF UTAH'S UNOPPOSED REQUEST TO
MODIFY DEPOSITION SCHEDULE FOR UTAH CONTENTION H 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, 2000:

Rulemaking & Adjudication Staff
Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington D.C. 20555
E-mail: hearingdocket@nrc.gov
(original and two copies)

G. Paul Bollwerk, III, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, DC 20555
E-Mail: gpb@nrc.gov

Dr. Jerry R. Kline
Administrative Judge
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, DC 20555
E-Mail: jrk2@nrc.gov
E-Mail: kjerry@erols.com

Dr. Peter S. Lam
Administrative Judge
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, DC 20555
E-Mail: psl@nrc.gov

Sherwin E. Turk, Esq.
Catherine L. Marco, Esq.
Office of the General Counsel
Mail Stop - 0-15 B18
U.S. Nuclear Regulatory Commission
Washington, DC 20555
E-Mail: set@nrc.gov
E-Mail: clm@nrc.gov
E-Mail: pfscase@nrc.gov

Jay E. Silberg, Esq.
Ernest L. Blake, Jr., Esq.
Paul A. Gaukler, Esq.
Shaw, Pittman, Potts & Trowbridge
2300 N Street, N. W.
Washington, DC 20037-8007
E-Mail: Jay_Silberg@shawpittman.com
E-Mail: ernest_blake@shawpittman.com
E-Mail: paul_gaukler@shawpittman.com

John Paul Kennedy, Sr., Esq.
1385 Yale Avenue
Salt Lake City, Utah 84105
E-Mail: john@kennedys.org

Joro Walker, Esq.
Land and Water Fund of the Rockies
2056 East 3300 South Street, Suite 1
Salt Lake City, Utah 84109
E-Mail: joro61@inconnect.com

Danny Quintana, Esq.
Danny Quintana & Associates, P.C.
68 South Main Street, Suite 600
Salt Lake City, Utah 84101
E-Mail: quintana@xmission.com

Office of the Commission Appellate
Adjudication
Mail Stop: 16-G-15 OWFN
U. S. Nuclear Regulatory Commission
Washington, DC 20555
(United States mail only)

James M. Cutchin
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
E-Mail: jmc3@nrc.gov
(electronic copy only)

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

Denise Chancellor
Assistant Attorney General
State of Utah