

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

DOCKETED 04/19/00

G. Paul Bollwerk, III, Chairman
Dr. Jerry R. Kline
Dr. Peter S. Lam

SERVED 04/19/00

In the Matter of

PRIVATE FUEL STORAGE, L.L.C.

(Independent Spent Fuel
Storage Installation)

Docket No. 72-22-ISFSI
ASLBP No. 97-732-02-ISFSI
April 19, 2000

NOTICE

(Notice of Hearing and of
Opportunity to Make Oral or Written
Limited Appearance Statements)

The Atomic Safety and Licensing Board hereby gives notice that it will convene an evidentiary hearing to receive testimony and exhibits and allow the cross-examination of witnesses relating to certain matters at issue in this proceeding regarding the June 1997 application of Private Fuel Storage, L.L.C., (PFS) for a license under 10 C.F.R. Part 72 to construct and operate an independent spent fuel storage installation (ISFSI) on the reservation of the Skull Valley Band of Goshute Indians (Skull Valley Band) in Skull Valley, Utah. In addition, the Board gives notice that, in accordance with 10 C.F.R. § 2.715(a), it will entertain oral limited appearance statements from members of the public in connection with this proceeding.

A. Date, Time, and Location of Evidentiary Hearing

The Board will conduct an evidentiary hearing on certain issues relating to this proceeding, currently scheduled to include contentions Utah E/Confederated Tribes F, Financial Assurance; Utah H, Inadequate Thermal Design; Utah R, Emergency Plan; and Utah S, Decommissioning, beginning at 9:30 a.m., on Monday, June 19, 2000, in the Hilton Salt Lake City, Wasatch Room, Mezzanine Level, 150 West 500 South, Salt Lake City, Utah. The hearing on these issues shall continue from day-to-day until concluded.

The public is advised that, in accordance with 10 C.F.R. § 2.790(b)(6), all or part of the sessions regarding contentions Utah E/Confederated Tribes F and Utah S may be closed to the public because the matters at issue may involve the discussion of confidential proprietary information.

B. Date, Time, and Location of Oral Limited Appearance Statement Sessions

The Board will conduct sessions to provide the public with an opportunity to make oral limited appearance statements on the following dates at the specified locations and times:

1. DATE: Friday, June 23, 2000
TIMES: Afternoon Session -- 1:00 p.m. to 4:00 p.m. Mountain Daylight Time (MDT)
Evening Session -- 7:00 p.m. to 9:30 p.m. MDT

LOCATION: Hilton Salt Lake City
Wasatch Room -- Mezzanine Level
150 West 500 South
Salt Lake City, Utah

2. DATE: Saturday, June 24, 2000

TIMES: Afternoon Session (if there is
sufficient interest)-- 1:00 p.m. to 4:00
p.m. MDT

LOCATION: Same as Session 1 above

3. DATE: Friday, June 30, 2000

TIMES: Afternoon Session -- 1:00 p.m. to
4:00 p.m. MDT
Evening Session -- 7:00 p.m. to
9:30 p.m. MDT

LOCATION: Tooele High School Auditorium
240 West Buffalo Blvd.
Tooele, Utah

4. DATE: Saturday, July 1, 2000

TIMES: Afternoon Session (if there is
sufficient interest) -- 1:00 p.m. to
4:00 p.m. MDT

LOCATION: Same as Session 3 above

C. Participation Guidelines for Oral Limited Appearance
Statements

Any person not a party to the proceeding will be
permitted to make an oral statement setting forth his or her
position on matters of concern relating to this proceeding.
Although these statements do not constitute testimony or
evidence, they nonetheless may help the Board and/or the
parties in their deliberations in connection with the issues
to be considered in this proceeding.

Oral limited appearance statements will be entertained during the hours specified above, or such lesser time as may be necessary to accommodate the speakers who are present. If, however, all scheduled and unscheduled speakers present at a session have made a presentation, the Licensing Board reserves the right to terminate the session before the ending time listed above. The Licensing Board also reserves the right to cancel the Saturday sessions scheduled above if there has not been a sufficient showing of public interest as reflected by the number of preregistered speakers.

The time allotted for each statement normally will be no more than five minutes, but may be further limited depending on the number of written requests to make an oral statement that are submitted in accordance with section D below and/or the number of persons present at the designated times.

D. Submitting a Request to Make an Oral Limited Appearance Statement

Persons wishing to make an oral statement who have submitted a timely written request to do so will be given priority over those who have not filed such a request. In order to be considered timely, a written request to make an oral statement must be mailed, faxed, or sent by e-mail so as to be received by close of business (4:30 p.m. EST) on Wednesday, May 31, 2000. The request must specify the date (June 23, June 24, June 30, or July 1) and the session on

that day (afternoon or evening) during which the requester wishes to make an oral statement. Based on its review of the requests received on May 31, 2000, the Licensing Board may decide that either or both of the Saturday sessions will not be held due to lack of adequate interest in those sessions.

Written requests to make an oral statement should be submitted to:

Mail: Office of the Secretary
Rulemakings and Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Fax: (301) 415-1101 (verification (301) 415-1966)

E-mail: hearingdocket@nrc.gov

In addition, using the same method of service, a copy of the written request to make an oral statement should be sent to the Chairman of this Licensing Board as follows:

Mail: Administrative Judge G. Paul Bollwerk, III
Atomic Safety and Licensing Board Panel
Mail Stop T-3F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Fax: (301) 415-5599 (verification (301) 415-7550)

E-mail: gpb@nrc.gov

E. Submitting Written Limited Appearance Statements

As the Board has noted previously, a written limited appearance statement can be submitted at any time. Such statements should be sent to the Office of the Secretary

using the methods prescribed above, with a copy to the Licensing Board Chairman.

Documents relating to the PFS license application at issue in this proceeding currently are on file at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20003-1527, and at the University of Utah, Marriott Library, Documents Division, 295 S. 1500 East, Salt Lake City, Utah 84112-0860.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*

/RA/
G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

April 19, 2000

* Copies of this notice were sent this date by Internet e-mail transmission to counsel for (1) applicant PFS; (2) intervenors Skull Valley Band, Ohngo Gaudadeh Devia, Confederated Tribes of the Goshute Reservation, Southern Utah Wilderness Alliance, and the State of Utah; and (3) the NRC staff.

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NUCLEAR REGULATORY COMMISSION

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PRIVATE FUEL STORAGE, L.L.C.)	Docket No. 72-22-ISFSI
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(Independent Spent Fuel Storage)	
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB NOTICE (NOTICE OF HEARING AND OF OPPORTUNITY TO MAKE ORAL OR WRITTEN LIMITED APPEARANCE STATEMENTS) have been served upon the following persons by deposit in the U.S. mail, first class, except as otherwise noted (by *) and in accordance with the requirements of 10 CFR Sec. 2.712.

*Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555

*Administrative Judge
G. Paul Bollwerk, III, Chairman
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

*Administrative Judge
Jerry R. Kline
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

*Administrative Judge
Peter S. Lam
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

*Sherwin E. Turk, Esquire
Catherine L. Marco, Esquire
Office of the General Counsel
Mail Stop - 0-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Diane Curran, Esquire
Harmon, Curran, Spielberg
& Eisenberg, L.L.P.
1726 M Street, NW, Suite 600
Washington, DC 20036

Martin S. Kaufman, Esquire
Atlantic Legal Foundation
205 E. 42nd St.
New York, NY 10017

Joro Walker, Esquire
Land and Water Fund of the Rockies
2056 East 3300 South, Suite 1
Salt Lake City, UT 84109

Docket No. 72-22-ISFSI
LB NOTICE (NOTICE OF HEARING
AND OF OPPORTUNITY TO MAKE ORAL
OR WRITTEN LIMITED APPEARANCE
STATEMENTS)

Denise Chancellor, Esquire
Assistant Attorney General
Utah Attorney General's Office
160 East 300 South, 5th Floor
P.O. Box 140873
Salt Lake City, UT 84114

John Paul Kennedy, Esquire
Confederated Tribes of the Goshute
Reservation and David Pete
1385 Yale Avenue
Salt Lake City, UT 84105

Richard E. Condit, Esquire
Land and Water Fund of the Rockies
2260 Baseline Road, Suite 200
Boulder, CO 80302

Jay E. Silberg, Esquire
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Harvard University
Cambridge, MA 02138

Danny Quintana, Esquire
Skull Valley Band of Goshute Indians
Danny Quintana & Associates, P.C.
68 South Main Street, Suite 600
Salt Lake City, UT 84101

[Original Signed By Kris Cater]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 19th day of April 2000

* Internal Distribution