

December 16, 1997

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
PRIVATE FUEL STORAGE, LLC)	Docket No. 72-22-ISFSI
)	
(Independent Spent)	
Fuel Storage Installation))	

NRC STAFF'S MOTION FOR
EXTENSION OF TIME TO FILE RESPONSE
TO CONTENTIONS AND SUPPLEMENTAL PETITIONS

Pursuant to 10 C.F.R. § 2.730, the NRC Staff ("Staff") hereby requests a two-day extension of time in which to file its response to the Petitioners' contentions and supplemental petitions for leave to intervene in this proceeding. In support of this request, the Staff states as follows:

1. On October 15, 1997, the Confederated Tribes of the Goshute Reservation and David Pete ("Confederated Tribes") filed a "Supplemental Memorandum" in support of their petition for leave to intervene. The Staff's response to this Supplemental Memorandum is required to be filed on or before December 22, 1997, in accordance with the Licensing Board's Memorandum and Order of October 24, 1997.¹

2. On October 17, 1997, the Licensing Board granted the State of Utah's motion for an extension of time in which to file contentions, such that the date for filing contentions was

¹ "Memorandum and Order (Schedule for Prehearing Conference/Site Visit and Responses to Supplemental Petition)," dated October 24, 1997, at 2.

extended until November 24, 1997. In accordance with this revised schedule, on or about November 24, 1997, the Petitioners filed a total of about 80 contentions which they seek to litigate in this proceeding. In accordance with the Licensing Board's Memorandum and Order of October 17, 1997, the Staff is currently required to file and serve its response to contentions on Monday, December 22, 1997.²

3. The large number of contentions and materials submitted therewith has required a considerable amount of time for the Staff to evaluate and address in its response thereto. In addition, other responsibilities of Staff Counsel during this time period, including the preparation and circulation for comment of a proposed protective order as directed by the Licensing Board, has required some diversion of time from the task of responding to contentions. Accordingly, the Staff anticipates that it will require an additional period of two days to complete and file its response to contentions and to the Confederated Tribes' Supplemental Memorandum.

4. Staff Counsel has contacted Counsel for the other parties, who indicated as follows: (a) Counsel for Private Fuel Storage L.L.C. (the "Applicant") supports the Staff's Motion, provided the Applicant receives a similar extension of time to file its response to contentions; (b) Counsel for the State of Utah, Ohngo Gaudadeh Devia, Castle Rock Land and Livestock, L.C., *et al.*, and the Skull Valley Band of Goshutes do not oppose this request; and (c) the Staff has attempted without success to contact Counsel for the Confederated Tribes, and is therefore unable to state his position with respect to this request.

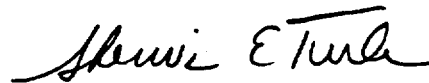
² "Memorandum and Order (Ruling on Motions to Suspend Proceeding and for Extension of Time to File Contentions)," dated October 17, 1997, at 11.

5. In the event this Motion is granted, the Staff will serve on the Licensing Board and parties electronic copies of its response to contentions and to the Confederated Tribes' Supplemental Memorandum, via E-mail, on Wednesday, December 24, 1997. Also on that date, the Staff will file and serve copies of its response to all persons on its service list for this proceeding, via internal NRC mail or U.S. Mail, first class, as required by the Licensing Board's established procedure for service of documents in this proceeding.

6. On December 16, 1997, Staff Counsel telephoned the Licensing Board Chairman and informed him of this request.

WHEREFORE, the Staff hereby requests a two-day extension of time, until December 24, 1997, for the filing of its response to contentions and to the Confederated Tribes' Supplemental Memorandum.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sherwin E. Turk". The signature is fluid and cursive, with the first name "Sherwin" and last name "Turk" clearly distinguishable.

Sherwin E. Turk
Counsel for NRC Staff

Dated at Rockville, Maryland
this 16th day of December 1997

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO CONTENTIONS AND SUPPLEMENTAL PETITIONS" in the above captioned proceeding have been served on the following through deposit in the Nuclear Regulatory Commission's internal mail system (with E-mail copies as indicated); or by deposit in the United States mail, first class, as indicated by an asterisk this 16th day of December, 1997:

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