

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'98 FEB -3 A11:53

Before Administrative Judges:

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

OFFICE OF SEC. ADJ. CLERK
RULEMAKING DIV.
ADJUDICATION STAFF

SERVED FEB - 3 1998

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

February 3, 1998

MEMORANDUM AND ORDER

(Schedule for Filing Notice of Appearance
and Correction to February 2, 1998
Licensing Board Issuance)

By amended petition dated February 2, 1998, the group Scientists for Secure Waste Storage (SSWS) seeks to intervene in this proceeding. This document, the third such filing submitted by Richard Wilson and other named petitioners, indicates that Richard Wilson is the spokesman for SSWS. In addition, the amended petition states that the Atlantic Legal Foundation (ALF) is acting as SSWS's "legal advisor." The previous filings indicated they were being submitted "on behalf of" ALF.

Under the agency's rules of practice, a "partnership, corporation, or unincorporated association" wishing to intervene in a proceeding may be represented by "a duly authorized member or officer, or by an attorney at law."

See 10 C.F.R. § 2.713(b). Further, any person appearing on behalf of such a entity in a representative capacity must file a written notice of appearance includes the following information:

[H]is or her name, address, and telephone number; the name and address of the person on whose behalf he or she appears; and, in the case of an attorney-at-law, the basis of his or her eligibility as a representative or, in the case of another representative, the basis of his or her authority to act on behalf of the party.

On or before Tuesday, February 10, 1998, each representative or attorney of SSWS and ALF (if ALF wishes to be a party to this proceeding) shall file a notice of appearance that complies with the requirements of section 2.713(c). In addition, consistent with the Board's September 23, 1997 initial prehearing order, each notice of appearance shall include the facsimile number and e-mail address of the representative or attorney. See Licensing Board Memorandum and Order (Initial Prehearing Order) (Sept. 23, 1997) at 3-4 (unpublished).

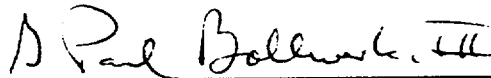
In addition to serving an original and conforming paper copies on the Office of the Secretary, and serving paper copies on the Board members and the other participants in this proceeding, see 10 C.F.R. § 2.712, the filings required under this memorandum and order should be served on the Board, the Office of the Secretary, and counsel for the other participants by facsimile transmission, e-mail, or

other means that will ensure receipt by close of business (4:30 p.m. EST) on the day of filing. See id. at 5-6; Licensing Board Memorandum and Order (Additional Guidance on Service Procedures) (Nov. 19, 1997) (unpublished).

Finally, on the eighth line of page two of the Board's February 2, 1998 memorandum and order, the reference to "paragraph I.A." is revised to read "paragraph I.B."

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*



G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

February 3, 1998

* Copies of this memorandum and order were sent this date by Internet e-mail transmission to counsel for the applicant Private Fuel Storage, L.L.C., to counsel for petitioners Skull Valley Band of Goshute Indians, Ohngo Gaudaden Devia, Confederated Tribes of the Goshute Reservation and David Pete, Castle Rock Land and Livestock, L.C., et al., and the State of Utah, and to the spokesman for petitioner SSWS; and to counsel for the NRC staff by e-mail through the agency's wide area network system.

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

In the Matter of

PRIVATE FUEL STORAGE, LLC

**(Independent Spent Fuel Storage
Installation)**

Docket No.(s) 72-22-ISFSI

CERTIFICATE OF SERVICE

**I hereby certify that copies of the foregoing LB M&O--SCHEDULE FOR FILING...
have been served upon the following persons by U.S. mail, first class, except
as otherwise noted 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, Esq.
Catherine L. Marco, Esq.
Office of the General Counsel
Mail Stop - 0-15 B18
U.S. Nuclear Regulatory Commission
Washington, DC 20555**

**Diane Curran, Esq.
Harmon, Curran & Spielberg
2001 S Street, N.W., Suite 430
Washington, DC 20009**

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

**Jay E. Silberg, Esq.
Shaw, Pittman, Potts and Trowbridge
2300 N Street, NW
Washington, DC 20037**

Docket No.(s)72-22-ISFSI
LB M&O--SCHEDULE FOR FILING...

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

Jean Belille, Esq.
Ohngo Gaudadeh Devia
Land and Water Fund of the Rockies
2260 Baseline Road, Suite 200
Boulder, CO 80302

Clayton J. Parr, Esq.
Castle Rock, et al.
Parr, Waddoups, Brown, Gee & Loveless
185 South State Street, Suite 1300
Salt Lake City, UT 84111

Danny Quintana, Esq.
Skull Valley Band of Goshute Indians
Danny Quintana & Assocs., P.C.
50 West Broadway, Fourth Floor
Salt Lake City, UT 84101

Richard Wilson
Department of Physics
Harvard University
Cambridge, MA 02138

Dated at Rockville, Md. this
3 day of February 1998

Adria T. Byrdson
Office of the Secretary of the Commission