

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
US-20

ATOMIC SAFETY AND LICENSING BOARD

'99 MAY -6 A9:23

Before Administrative Judges:

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

OFF  
FILE  
ADJL

**SERVED MAY - 6 1999**

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

May 6, 1999

ORDER  
(Rule Waiver Motion  
Response Schedule)

Upon consideration of intervenor State of Utah's  
(State) April 30, 1999 motion to require applicant Private  
Fuel Storage, L.L.C., (PFS) to apply for a 10 C.F.R.  
§ 2.758(b) rule waiver or, in the alternative, to amend  
contention Utah L, it is

ORDERED, that party responses to the State's April 30,  
1999 motion shall be filed on or before Wednesday, May 12,  
1999.

The filings permitted under this 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 midnight Eastern  
Time (ET) on the day of filing. See Licensing Board

Memorandum and Order (Initial Prehearing Order) (Sept. 23, 1997) at 5-6 (unpublished); Licensing Board Memorandum and Order (Additional Guidance on Service Procedures) (Nov. 19, 1997) (unpublished); Licensing Board Memorandum and Order (Schedule for Telephone Conference and Directives Regarding Expedited Service) (Sept. 2, 1998) at 2-3 (unpublished).

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD\*

G. Paul Bollwerk, III  
G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland

May 6, 1999

---

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

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 ORDER--RULE WAIVER MOTION.. 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 - O-15 B18  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

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

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

Joro Walker, Esq.  
Land and Water Fund of the Rockies  
165 South Main, Suite 1  
Salt Lake City, UT 84111

Docket No.(s)72-22-ISFSI  
LB ORDER--RULE WAIVER MOTION..

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

Daniel G. Moquin, Esq.  
Utah Attorney General's Office  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84114

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

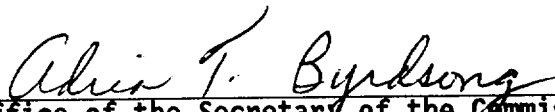
John Paul Kennedy, Esq.  
Confederated Tribes of the Goshute  
Reservation and David Pete  
1385 Yale Avenue  
Salt Lake City, UT 84105

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

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  
6 day of May 1999

  
Office of the Secretary of the Commission