

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

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

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
March 19, 1999

MEMORANDUM AND ORDER
(Telephone Conference
Regarding Status of Discovery)

The Board has advised the parties that it will convene a telephone conference regarding the status of formal discovery efforts on Tuesday, March 23, 1999, beginning at 1:00 p.m. ET (11:00 a.m. MT). As has previously been the case, the Board requests that at the outset of the call, one party be prepared to provide a brief "joint" report on the status of ongoing formal discovery efforts.


As part of the conference, the Board would like the "lead" parties supporting and opposing each contention and the NRC staff to be prepared to be able to identify, based on the parties' discovery efforts to date, (1) any admitted contentions for which a party anticipates seeking permission to conduct discovery in excess of that provided for by the

Board, see LBP-98-7, 47 NRC 142, 245 (1998); and (2) how many privileged/protected documents each party anticipates may be the subject of a motion to compel/motion for protective order.

In addition, as part of the conference call the Board would like to discuss with the parties its ongoing efforts to obtain space in Salt Lake City for conducting the scheduled hearing on the Group I contentions in November and December of this year. In this regard, the Board requests that the "lead" parties and the staff be prepared to provide a good faith estimate of how long they anticipate will be needed to try the Group I contentions.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*



G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

March 19, 1999

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