

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'99 JUL 27 P1:44

Before Administrative Judges:

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

C-
R.
AD.

SERVED JUL 27 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

July 27, 1999

ORDER

(Granting Filing Extension Motions and
Setting Schedule for Responses to Request
for Admission of Late-filed Contention)

Upon consideration of (1) the July 20, 1999 unopposed motion of intervenor State of Utah (State) for an extension of time to file a reply to the NRC staff's July 22, 1999 response in support of the June 7, 1999 motion of applicant Private Fuel Storage (PFS) for partial summary disposition of contention Utah K/Confederated Tribes B, to address a PFS June 30, 1999 supplemental submission, and to defer any State motion response and discovery against the staff regarding that portion of the contention concerning credible accidents involving military aircraft (other than accident risks that may be posed by "hung bombs" or malfunctioning ordnance) until after the staff is able to take a position regarding military aircraft impacts; (2) the July 22, 1999

unopposed State motion for an extension of time to respond to the July 20, 1999 PFS motion to compel answers to interrogatories regarding contention Utah O; and (3) the State's July 22, 1999 request for admission of late-filed amended contention Utah Q, it is

ORDERED, that the July 20, 1999 State motion for extension of time in connection with the pending PFS partial summary disposition motion regarding contention Utah K/Confederated Tribes B is granted in that (1) the State shall have up to and including Wednesday, August 4, 1999, within which it file its reply to the staff's July 22, 1999 response in support of the PFS partial summary disposition motion and to address the PFS June 30, 1999 supplemental information; and (2) any State response to the PFS motion and discovery against the staff on that portion of the contention concerning credible accidents involving military aircraft (other than accident risks that may be posed by "hung bombs" or malfunctioning ordnance) is deferred until after the staff has taken a position regarding military aircraft impacts; and it is

FURTHER ORDERED, that the State's July 22, 1999 motion for extension of time to respond to the pending PFS motion to compel answers to interrogatories regarding contention Utah O is granted in that the State's response to the motion

to compel shall be filed on or before Friday, July 30, 1999;
and it is

FURTHER ORDERED, that responses to the State's July 22, 1999 request for admission of late-filed amended contention Utah Q shall be filed on or before Friday, August 6, 1999.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*

B. Paul Bollwerk, III

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

July 27, 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 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-GRANT'G FIL'G EXT MOT
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.**

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Docket No.(s)72-22-ISFSI
LB ORDER-GRANT'G FIL'G EXT MOT

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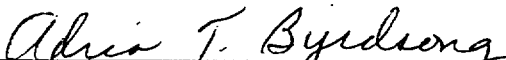
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Dated at Rockville, Md. this
27 day of July 1999


Office of the Secretary of the Commission