

542
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

99 DEC 17 09:42

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)

SERVED DEC 17 1999

Docket No. 72-22-ISFSI

ASLBP No. 97-732-02-ISFSI

December 17, 1999

ORDER
(Scheduling Telephone Conference)

Upon consideration of the NRC staff's December 15, 1999 statement of its position on the contentions in Groups I-II, it is

ORDERED, that the Licensing Board will conduct a telephone conference with the parties on Tuesday, December 21, 1999, beginning at 3:30 p.m. EST (1:30 p.m. MST) to discuss future scheduling regarding this proceeding.¹

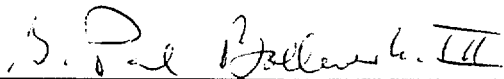
Relative to this conference, the staff should be prepared to advise the Board of its current schedules for (1) its safety evaluation report (SER) for the Private Fuel Storage, L.L.C., (PFS) facility and any planned SER

¹ The Board will contact the parties regarding arrangements for a bridge line.

supplements (or additional staff positions on contentions) that are relevant to any pending issues in this proceeding; (2) the draft and final environmental impact statements for the PFS facility; and (3) completion of any cask-related reviews that are relevant to any pending issues in this proceeding. Further, in preparation for this telephone conference, the Board requests that the parties discuss among themselves the matter of future scheduling for the Groups I-II and Group III contentions and be prepared to provide the Board with suggestions (joint, whenever possible) on further scheduling for this proceeding, including dates for limited discovery windows; filing summary disposition motions, prefiled testimony, and in

limine motions; conducting evidentiary hearings; and filing findings of fact.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD²



G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

December 17, 1999

² 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 of Utah; 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--SCHEDULING TELECON 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 D21
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
2056 East 3300 South, Suite 1
Salt Lake City, UT 84109

Docket No.(s)72-22-ISFSI
LB ORDER--SCHEDULING TELECON

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
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.
68 South Main Street, Suite 600
Salt Lake City, UT 84101

Richard Wilson
Department of Physics
Harvard University
Cambridge, MA 02138

Dated at Rockville, Md. this
17 day of December 1999

Adrian T. Byrdson
Office of the Secretary of the Commission

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DEC 17 1999

In the Matter of

PRIVATE FUEL STORAGE, L.L.C.

(Independent Spent Fuel
Storage Installation)

Docket No. 72-22-ISFSI

SERVED DEC 17 1999

ORDER

Pursuant to my authority under 10 C.F.R. § 2.772(e), the time within which the Commission may rule on the State of Utah's Petition for Interlocutory Review of the Atomic Safety and Licensing Board's Memorandum and Order, LBP-99-43, is hereby extended until January 20, 2000.

IT IS SO ORDERED.

For the Commission



A handwritten signature in cursive script, reading "Annette L. Vietti-Cook", written over a horizontal line.

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland,
this 16 day of December, 1999.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)

PRIVATE FUEL STORAGE L.L.C.)

(Independent Spent Fuel Storage
Installation))

Docket No. 72-22-ISFSI

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing COMMISSION ORDER EXTENDING TIME TO RESPOND TO THE STATE OF UTAH'S PETITION FOR INTERLOCUTORY REVIEW OF LBP-99-43 have been served upon the following persons by deposit in the U.S. mail, first class, as indicated by an asterisk (*) or through deposit in the Nuclear Regulatory Commission's internal mail system as indicated by double asterisks (**), with copies by electronic mail as indicated.

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
(E-mail: gpb@nrc.gov)

Administrative Judge
Jerry R. Kline**
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555
(E-mail: jrk2@nrc.gov)

Administrative Judge
Peter S. Lam**
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555
(E-mail: psl@nrc.gov)

Sherwin E. Turk, Esquire**
Catherine L. Marco, Esquire**
Office of the General Counsel
Mail Stop - 0-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555
(E-mail: pfscase@nrc.gov)

Diane Curran, Esquire*
Harmon, Curran, Spielberg
& Eisenberg, L.L.P.
1726 M Street, NW, Suite 600
Washington, DC 20036
(E-mail: dcurran@harmoncurran.com)

Joro Walker, Esquire*
Land and Water Fund of the Rockies
2056 East 3300 South, Suite 1
Salt Lake City, UT 84109
(E-mail: joro61@inconnect.com)

Martin S. Kaufman, Esquire*
Atlantic Legal Foundation
205 E. 42nd St.
New York, NY 10017
(E-mail: mskaufman@yahoo.com)

Docket No. 72-22-ISFSI
COMMISSION ORDER EXTENDING
TIME TO RESPOND TO THE STATE
OF UTAH'S PETITION FOR
INTERLOCUTORY REVIEW
OF LBP-99-43

Denise Chancellor, Esquire*
Assistant Attorney General
Utah Attorney General's Office
160 East 300 South, 5th Floor
P.O. Box 140873
Salt Lake City, UT 84114
(E-mail: dchancel@state.ut.us)

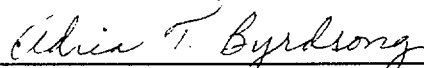
John Paul Kennedy, Esquire*
Confederated Tribes of the Goshute
Reservation and David Pete
1385 Yale Avenue
Salt Lake City, UT 84105
(E-mail: john@kennedys.org)

Richard E. Condit, Esquire*
Land and Water Fund of the Rockies
2260 Baseline Road, Suite 200
Boulder, CO 80302
(E-mail: rileycondit@igc.org)

Jay E. Silberg, Esquire*
Shaw Pittman
2300 N Street, NW
Washington, DC 20037
(E-mail: jay_silberg@shawpittman.com)

Richard Wilson*
Department of Physics
Harvard University
Cambridge, MA 02138
(E-mail: wilson@huhepl.harvard.edu)

Danny Quintana, Esquire*
Skull Valley Band of Goshute Indians
Danny Quintana & Associates, P.C.
68 South Main Street, Suite 600
Salt Lake City, UT 84101
(E-mail: quintana@xmission.com)


Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 17th day of December 1999