

DOCKETED
February 28, 2001 USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
Before the Atomic Safety and Licensing Board

01 MAR -6 P12:39

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of)	
)	
PRIVATE FUEL STORAGE L.L.C.)	Docket No. 72-22
)	
(Private Fuel Storage Facility))	ASLBP No. 97-732-02-ISFSI

**JOINT REQUEST TO MODIFY DEPOSITION SCHEDULE
FOR GROUP III ENVIRONMENTAL CONTENTIONS**

Applicant Private Fuel Storage L.L.C. ("Applicant" or "PFS") and the intervenors, the State of Utah ("State"), Ohngo Gaudedah Devia ("OGD") and the Southern Utah Wilderness Association ("SUWA"), hereby jointly request the Atomic Safety and Licensing Board ("Licensing Board" or "Board") to modify the current schedule for the noticing and conducting of depositions among the parties (except against the NRC Staff) for the Group III environmental contentions.¹ Under the current schedule set forth in the Board's Memorandum and Order of February 22, 2001, the limited discovery window for the Group III contentions runs from January 16, 2001 to March 15, 2001. PFS, the State, OGD and SUWA jointly request that the time for completing depositions for the Group III contentions be extended to April 30, 2001. The additional time is necessary to complete the Group III depositions which the parties have not yet commenced because of other commitments in this case and other matters.

The extension of deposition discovery for the Group III contentions to April 30, 2001 will not cause a delay in the current hearing schedule set forth in the Board's February 22, 2001 Memorandum and Order. Under that schedule, the final filing date for

¹ The contentions in Group III are Utah O; Utah T; Utah V; Utah W; Utah Z; Utah AA; Utah DD; OGD O; and SUWA B. See Memorandum and Order (General Schedule Revision), February 22, 2001.

summary disposition motions runs from May 25, 2001 to July 27, 2001, the final date for summary disposition decision is September 28, 2001 and the date for the filing of pre-filed direct testimony is October 29, 2001.

Counsel for Applicant has conferred with counsel for the NRC Staff and has been advised that the NRC Staff does not oppose this request. Wherefore, PFS, the State, OGD and SUWA hereby request that the time for depositions among the parties (except against the NRC Staff) for the Group III environmental contentions be extended to April 30, 2001.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Paul Gaukler", is written over a horizontal line.

Jay E. Silberg
Ernest L. Blake, Jr.
Paul A. Gaukler
D. Sean Barnett
SHAW PITTMAN
2300 N Street, N.W.
Washington, DC 20037

February 28, 2001

Counsel for Private Fuel Storage L.L.C.

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
PRIVATE FUEL STORAGE L.L.C.)	Docket No. 72-22
)	
(Private Fuel Storage Facility))	ASLBP No. 97-732-02-ISFSI

CERTIFICATE OF SERVICE

I hereby certify that copies of the "Joint Request to Modify Deposition Schedule for Group III Environmental Contentions" were served on the persons listed below (unless otherwise noted) by e-mail with conforming copies by U.S. mail, first class, postage prepaid, this 28th day of February 2001.

G. Paul Bollwerk III, Esq., Chairman Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
e-mail: GPB@nrc.gov

Dr. Jerry R. Kline
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
e-mail: JRK2@nrc.gov; kjerry@erols.com

Dr. Peter S. Lam
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
e-mail: PSL@nrc.gov

* Susan F. Shankman
Deputy Director, Licensing & Inspection
Directorate, Spent Fuel Project Office
Office of Nuclear Material Safety & Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Attention: Rulemakings and Adjudications Staff
e-mail: hearingdocket@nrc.gov
(Original and two copies)

* Adjudicatory File
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Catherine L. Marco, Esq.
Sherwin E. Turk, Esq.
Office of the General Counsel
Mail Stop O-15 B18
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
e-mail: pfscase@nrc.gov

John Paul Kennedy, Sr., Esq.
Confederated Tribes of the Goshute
Reservation and David Pete
1385 Yale Avenue
Salt Lake City, Utah 84105
e-mail: john@kennedys.org

Diane Curran, Esq.
Harmon, Curran, Spielberg &
Eisenberg, L.L.P.
1726 M Street, N.W., Suite 600
Washington, D.C. 20036
e-mail: dcurran@harmoncurran.com


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

Denise Chancellor, Esq.
Assistant Attorney General
Utah Attorney General's Office
160 East 300 South, 5th Floor
P.O. Box 140873
Salt Lake City, Utah 84114-0873
e-mail: dchancel@state.UT.US

Joro Walker, Esq.
Land and Water Fund of the Rockies
1473 South 1100 East, Suite F
Salt Lake City, UT 84105
e-mail: joro61@inconnect.com

Danny Quintana, Esq.
Skull Valley Band of Goshute Indians
Danny Quintana & Associates, P.C.
68 South Main Street, Suite 600
Salt Lake City, Utah 84101
e-mail: quintana@xmission.com

* By U.S. mail only


Paul A. Gaukler