

**RAS 3459**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**DOCKETED 10/09/01**  
**SERVED 10/09/01**

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

October 9, 2001

MEMORANDUM AND ORDER  
(Revisions to LBP-01-23)

The following revisions are made to the slip opinion for LBP-01-23:

1. On page ten, the portion of the sentence that is on lines twelve, thirteen, and fourteen of the text should read “basis for contention Utah Z declares the ER does not meaningfully discuss the no build alternative because PFS focuses “solely on the perceived disadvantages of the no build alternative.””

2. On page eleven, lines six and seven of footnote three should read "the information provided or claims that necessary information has been omitted (or some combination of the two)."

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>\*</sup>

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G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland

October 9, 2001

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\* Copies of this memorandum and order were sent this date by Internet e-mail transmission to counsel for (1) 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 NRC staff.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

|                                 |   |                        |
|---------------------------------|---|------------------------|
| In the Matter of                | ) |                        |
|                                 | ) |                        |
| PRIVATE FUEL STORAGE L.L.C.     | ) | Docket No. 72-22-ISFSI |
|                                 | ) |                        |
| (Independent Spent Fuel Storage | ) |                        |
| Installation)                   | ) |                        |

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (REVISIONS TO LBP-01-23) have been served upon the following persons by deposit in the U.S. mail, first class, or through NRC internal distribution.

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Docket No. 72-22-ISFSI  
LB MEMORANDUM AND ORDER  
(REVISIONS TO LBP-01-23)

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[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 9<sup>th</sup> day of October 2001