

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSIONBEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

NOTICE

On March 25, 2002, the NRC Staff filed, "NRC Staff's Motion in Limine to Exclude Portions of the State of Utah's Prefiled Testimony and Exhibits Concerning Utah K/ Confederated Tribes B" (Motion). In its Motion, the Staff moved to strike, among other things, a portion of Lt. Col. Horstman's testimony regarding conversations he had with four F-16 pilots. Motion at 3. In light of arguments made in the responses of April 1, 2002, filed by the State of Utah and the Applicant, and discussions with counsel for the State and Applicant, the Staff is hereby withdrawing its motion with respect to the issue regarding Lt. Col. Horstman's conversations with four F-16 pilots.

Respectfully submitted,

**/RA/**

Catherine L. Marco  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 3<sup>rd</sup> day of April, 2002

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-ISFSI
	)	
(Independent Spent	)	
Fuel Storage Installation)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of "NOTICE," in the above captioned proceeding have been served on the following through deposit in the NRC's internal mail system, with copies by electronic mail, as indicated by an asterisk, or by deposit in the U.S. Postal Service, as indicated by double asterisk, with copies by electronic mail this 3rd day of April, 2002:

Michael C. Farrar, Chairman\*  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555  
(E-mail copy to [MCF@NRC.GOV](mailto:MCF@NRC.GOV))

Office of the Secretary\*  
ATTN: Rulemakings and Adjudications  
Staff  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555  
(E-mail copies to [SECY@NRC.GOV](mailto:SECY@NRC.GOV)  
and [HEARINGDOCKET@NRC.GOV](mailto:HEARINGDOCKET@NRC.GOV))

Dr. Jerry R. Kline\*  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555  
(E-mail copy to [JRK2@NRC.GOV](mailto:JRK2@NRC.GOV))

Office of the Commission Appellate  
Adjudication  
Mail Stop: 16-C-1 OWFN  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Dr. Peter S. Lam\*  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555  
(E-mail copy to [PSL@NRC.GOV](mailto:PSL@NRC.GOV))

James M. Cutchin, V\*  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555  
(E-mail to [JMC3@NRC.GOV](mailto:JMC3@NRC.GOV))

Atomic Safety and Licensing Board  
Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Jay E. Silberg, Esq.\*\*  
Ernest Blake, Esq.  
Paul A. Gaukler, Esq.  
Sean Barnett, Esq.  
Shaw Pittman  
2300 N Street, N.W.  
Washington, DC 20037-8007  
(E-mail copy to jay\_silberg,  
paul\_gaukler, sean\_barnett, and  
ernest\_blake@shawpittman.com)

Tim Vollmann, Esq.\*\*  
3301-R Coors Road N.W.  
Suite 302  
Albuquerque, NM 87120  
(E-mail copy to [tvollmann@hotmail.com](mailto:tvollmann@hotmail.com))

Leon Bear, Chairman  
Skull Valley Band of Goshute Indians  
3359 South Main  
Box 808  
Salt Lake City, Utah 84115

Denise Chancellor, Esq.\*\*  
Fred G. Nelson, Esq.  
Laura Lockhart, Esq.  
Utah Attorney General's Office  
160 East 300 South, 5th Floor  
P.O. Box 140873  
Salt Lake City, UT 84114-0873  
(E-mail copies to dchancel, fnelson,  
llockhar, and jbraxton@att.State.UT.US,  
adminag@xmission.com)

Connie Nakahara, Esq.\*\*  
Utah Dep't of Environmental Quality  
168 North 1950 West  
P. O. Box 144810  
Salt Lake City, UT 84114-4810  
(E-mail copy to  
[cnakahar@att.state.UT.US](mailto:cnakahar@att.state.UT.US))

Diane Curran, Esq.\*\*  
Harmon, Curran, Spielberg & Eisenberg  
1726 M Street, N.W., Suite 600  
Washington, D.C. 20036  
(E-mail copy to  
[dcurran@harmoncurran.com](mailto:dcurran@harmoncurran.com))

John Paul Kennedy, Sr., Esq.\*\*  
David W. Tufts, Esq.  
Durham, Jones & Pinegar  
111 East Broadway, Suite 900  
Salt Lake City, UT 84105  
(E-mail copy to [dtufts@djplaw.com](mailto:dtufts@djplaw.com))

Joro Walker, Esq.\*\*  
Land and Water Fund of the Rockies  
1473 South 1100 East, Suite F  
Salt Lake City, UT 84105  
(E-mail copy to [utah@lawfund.org](mailto:utah@lawfund.org))

Paul C. EchoHawk, Esq.  
EchoHawk Law Offices  
151 North 4th Avenue, Suite A  
P.O. Box 6119  
Pocatello, Idaho 83205-6119  
(E-Mail copies to: paul, larry and  
[mark@echohawk.com](mailto:mark@echohawk.com))

**/RA/**

---

Catherine L. Marco  
Counsel for NRC Staff