

RAS 7242

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED 01/15/04

SERVED 01/15/04

Before Administrative Judges:

Michael C. Farrar, Chairman
Dr. Jerry R. Kline
Dr. Peter S. Lam

In the Matter of

PRIVATE FUEL STORAGE, LLC

(Independent Spent Fuel Storage Installation)

Docket No. 72-22-ISFSI

ASLBP No. 97-732-02-ISFSI

January 15, 2004

ERRATA to LBP-03-30
(Regarding "Rail-Line Alternatives")

Our Partial Initial Decision of December 31, 2003 in this matter (LBP-03-30) is hereby amended as follows (all references are to the pages of the slip opinion):

1. Page 16, line 4:

change "With environmental, as with safety issues," to "With environmental issues, as with safety ones,"

2. Page 16, lines 13-14:

change "But any such rejection generally" to "But, almost universally, any such rejection"

3. Page 21, line 4:

insert at the end of the line the reference "See p. 17, above."

4. Page 34, beginning of ¶ 18:

change "In 1980, BLM, the federal agency responsible for reviewing certain lands for potential designation as wilderness," to "In 1980, as part of its responsibility to review certain lands for potential designation as wilderness, BLM"

5. Page 38, ¶ 25, beginning of last sentence:

insert after "We find" the reference "(see ¶¶ 26-34, below)"

6. Page 47, ¶ 47:

insert at end of third line "and to the SUWA-suggested route further east,"

7. Page 48, ¶ 53:

change last four words from "those environmentally less-preferable alternatives" to "that environmentally less-preferable alternative"

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Michael C. Farrar, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
January 15, 2004

Copies of this Partial Initial Decision were sent this date by Internet e-mail transmission to counsel for (1) Applicant PFS; (2) Intervenors Southern Utah Wilderness Alliance, Skull Valley Band of Goshute Indians, OGD, Confederated Tribes of the Goshute Reservation, 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 ERRATA TO LBP-03-30 (REGARDING "RAIL-LINE ALTERNATIVES") have been served upon the following persons by deposit in the U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Michael C. Farrar, Chairman
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Jerry R. Kline
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Peter S. Lam
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Sherwin E. Turk, Esquire
Catherine L. Marco, Esquire
Laura C. Zaccari, Esquire
Office of the General Counsel
Mail Stop - 0-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Diane Curran, Esquire
Harmon, Curran, Spielberg
& Eisenberg, L.L.P.
1726 M Street, NW, Suite 600
Washington, DC 20036

Joro Walker, Esquire
Director, Utah Office
Western Resource Advocates
1473 South 1100 East, Suite F
Salt Lake City, UT 84105

Martin S. Kaufman, Esquire
Atlantic Legal Foundation
205 E. 42nd St.
New York, NY 10017

Docket No. 72-22-ISFSI
LB ERRATA TO LBP-03-30 (REGARDING
"RAIL-LINE ALTERNATIVES")

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

John Paul Kennedy, Sr., Esquire
David W. Tufts, Esquire
Confederated Tribes of the Goshute
Reservation and David Pete
Durham Jones & Pinegar
111 East Broadway, Suite 900
Salt Lake City, UT 84105

Tim Vollmann, Esquire
3301-R Coors Road N.W., #302
Albuquerque, NM 87120

Joseph R. Egan, Esquire
Martin G. Malsch, Esquire
Egan Fitzpatrick & Malsch, PLLC
7918 Jones Branch Dr., Suite 600
McLean, VA 22102

Jay E. Silberg, Esquire
D. Sean Barnett, Esquire
Shaw Pittman
2300 N Street, NW
Washington, DC 20037-1128

Richard Wilson
Department of Physics
Harvard University
Cambridge, MA 02138

Paul C. EchoHawk, Esquire
ECHOHAWK LAW OFFICES
151 North 4th Avenue, Suite A
P.O. Box 6119
Pocatello, ID 83205-6119

Stephen L. Simpson, Esquire
Office of the Solicitor
Department of the Interior
Division of Indian Affairs
1849 C Street, NW, Mailstop 6456-MIB
Washington, DC 20240

[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 15th day of January 2004