

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

**DOCKETED 04/19/00**

G. Paul Bollwerk, III, Chairman  
Dr. Jerry R. Kline  
Dr. Peter S. Lam

**SERVED 04/19/00**

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  
April 19, 2000

NOTICE

(Notice of Hearing and of  
Opportunity to Make Oral or Written  
Limited Appearance Statements)

The Atomic Safety and Licensing Board hereby gives notice that it will convene an evidentiary hearing to receive testimony and exhibits and allow the cross-examination of witnesses relating to certain matters at issue in this proceeding regarding the June 1997 application of Private Fuel Storage, L.L.C., (PFS) for a license under 10 C.F.R. Part 72 to construct and operate an independent spent fuel storage installation (ISFSI) on the reservation of the Skull Valley Band of Goshute Indians (Skull Valley Band) in Skull Valley, Utah. In addition, the Board gives notice that, in accordance with 10 C.F.R. § 2.715(a), it will entertain oral limited appearance statements from members of the public in connection with this proceeding.

A. Date, Time, and Location of Evidentiary Hearing

The Board will conduct an evidentiary hearing on certain issues relating to this proceeding, currently scheduled to include contentions Utah E/Confederated Tribes F, Financial Assurance; Utah H, Inadequate Thermal Design; Utah R, Emergency Plan; and Utah S, Decommissioning, beginning at 9:30 a.m., on Monday, June 19, 2000, in the Hilton Salt Lake City, Wasatch Room, Mezzanine Level, 150 West 500 South, Salt Lake City, Utah. The hearing on these issues shall continue from day-to-day until concluded.

The public is advised that, in accordance with 10 C.F.R. § 2.790(b)(6), all or part of the sessions regarding contentions Utah E/Confederated Tribes F and Utah S may be closed to the public because the matters at issue may involve the discussion of confidential proprietary information.

B. Date, Time, and Location of Oral Limited Appearance Statement Sessions

The Board will conduct sessions to provide the public with an opportunity to make oral limited appearance statements on the following dates at the specified locations and times:

1. DATE: Friday, June 23, 2000  
TIMES: Afternoon Session -- 1:00 p.m. to 4:00 p.m. Mountain Daylight Time (MDT)  
Evening Session -- 7:00 p.m. to 9:30 p.m. MDT

LOCATION: Hilton Salt Lake City  
Wasatch Room -- Mezzanine Level  
150 West 500 South  
Salt Lake City, Utah

2. DATE: Saturday, June 24, 2000

TIMES: Afternoon Session (if there is  
sufficient interest)-- 1:00 p.m. to 4:00  
p.m. MDT

LOCATION: Same as Session 1 above

3. DATE: Friday, June 30, 2000

TIMES: Afternoon Session -- 1:00 p.m. to  
4:00 p.m. MDT  
Evening Session -- 7:00 p.m. to  
9:30 p.m. MDT

LOCATION: Tooele High School Auditorium  
240 West Buffalo Blvd.  
Tooele, Utah

4. DATE: Saturday, July 1, 2000

TIMES: Afternoon Session (if there is  
sufficient interest) -- 1:00 p.m. to  
4:00 p.m. MDT

LOCATION: Same as Session 3 above

C. Participation Guidelines for Oral Limited Appearance  
Statements

Any person not a party to the proceeding will be permitted to make an oral statement setting forth his or her position on matters of concern relating to this proceeding. Although these statements do not constitute testimony or evidence, they nonetheless may help the Board and/or the parties in their deliberations in connection with the issues to be considered in this proceeding.

Oral limited appearance statements will be entertained during the hours specified above, or such lesser time as may be necessary to accommodate the speakers who are present. If, however, all scheduled and unscheduled speakers present at a session have made a presentation, the Licensing Board reserves the right to terminate the session before the ending time listed above. The Licensing Board also reserves the right to cancel the Saturday sessions scheduled above if there has not been a sufficient showing of public interest as reflected by the number of preregistered speakers.

The time allotted for each statement normally will be no more than five minutes, but may be further limited depending on the number of written requests to make an oral statement that are submitted in accordance with section D below and/or the number of persons present at the designated times.

D. Submitting a Request to Make an Oral Limited Appearance Statement

Persons wishing to make an oral statement who have submitted a timely written request to do so will be given priority over those who have not filed such a request. In order to be considered timely, a written request to make an oral statement must be mailed, faxed, or sent by e-mail so as to be received by close of business (4:30 p.m. EST) on Wednesday, May 31, 2000. The request must specify the date (June 23, June 24, June 30, or July 1) and the session on

that day (afternoon or evening) during which the requester wishes to make an oral statement. Based on its review of the requests received on May 31, 2000, the Licensing Board may decide that either or both of the Saturday sessions will not be held due to lack of adequate interest in those sessions.

Written requests to make an oral statement should be submitted to:

Mail: Office of the Secretary  
Rulemakings and Adjudications Staff  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Fax: (301) 415-1101 (verification (301) 415-1966)

E-mail: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

In addition, using the same method of service, a copy of the written request to make an oral statement should be sent to the Chairman of this Licensing Board as follows:

Mail: Administrative Judge G. Paul Bollwerk, III  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Fax: (301) 415-5599 (verification (301) 415-7550)

E-mail: [gpb@nrc.gov](mailto:gpb@nrc.gov)

E. Submitting Written Limited Appearance Statements

As the Board has noted previously, a written limited appearance statement can be submitted at any time. Such statements should be sent to the Office of the Secretary



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Installation) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB NOTICE (NOTICE OF HEARING AND OF OPPORTUNITY TO MAKE ORAL OR WRITTEN LIMITED APPEARANCE STATEMENTS) have been served upon the following persons by deposit in the U.S. mail, first class, except as otherwise noted (by \*) 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  
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Peter S. Lam  
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\*Sherwin E. Turk, Esquire  
Catherine L. Marco, Esquire  
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& Eisenberg, L.L.P.  
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2056 East 3300 South, Suite 1  
Salt Lake City, UT 84109

Docket No. 72-22-ISFSI  
LB NOTICE (NOTICE OF HEARING  
AND OF OPPORTUNITY TO MAKE ORAL  
OR WRITTEN LIMITED APPEARANCE  
STATEMENTS)

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Salt Lake City, UT 84105

Richard Wilson  
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2260 Baseline Road, Suite 200  
Boulder, CO 80302

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

[Original Signed By Kris Cater]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 19<sup>th</sup> day of April 2000

\* Internal Distribution