

RAS 1817

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

DOCKETED 06/15/00

SERVED 06/15/00

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

June 15, 2000

ORDER

(Responses to PFS Reconsideration Motion)

Upon consideration of the June 13, 2000 motion of applicant Private Fuel Storage, L.L.C., (PFS) for reconsideration of that portion of the Licensing Board's June 12, 2000 memorandum and order that denied a May 31, 2000 PFS motion to strike certain portions of the testimony of intervenor State of Utah's (Utah) witness Michael F. Sheehan, Ph.D., on contention Utah S, Decommissioning, it is

ORDERED, that any party written responses to this motion shall be filed on or before Friday, June 16, 2000. The filing permitted under this order should be served on the Board, the Office of the Secretary, and counsel for the other participants by facsimile transmission, e-mail, or other means that will ensure receipt by noon Mountain Daylight Time on the day of filing. Conforming paper copies of these submissions should be (1) sent to the Office of the Secretary, the Board members, and the parties by first-class mail; and (2) distributed on Monday, June 19, 2000, prior to the start of the evidentiary hearing to the Board members and those parties in attendance.

The parties are advised that the Board will provide a brief opportunity for argument regarding the pending PFS reconsideration motion at the beginning of the Monday, June 19, 2000 hearing session.

In addition, the parties are advised that the Board will entertain brief opening statements by the parties, if they wish to make such a statement, summarizing their position regarding each of the three contested issues in the proceeding. Parties have the option either of making one statement at the beginning of the proceeding regarding all issues or making a statement as to each issue prior to the beginning of the evidentiary presentation on that issue.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

June 15, 2000

*Copies of this order were sent this date by Internet e-mail transmission to petitioner William D. Peterson and counsel for (1) applicant PFS; (2) intervenors Skull Valley Band of Goshute Indians, Ohngo Gaudadeh Devia, Confederated Tribes of the Goshute Reservation, Southern Utah Wilderness Alliance, and the State; and (3) the NRC staff.

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NUCLEAR REGULATORY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (RESPONSES TO PFS RECONSIDERATION MOTION) 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 ORDER (RESPONSES TO
PFS RECONSIDERATION MOTION)

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[Original signed by Adria T. Byrdsong]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 15th day of June 2000