

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'98 FEB -3 A11:53

Before Administrative Judges:

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

OFFICE OF SPECIAL  
RULES AND  
ADJUDICATION STAFF

**SERVED FEB - 3 1998**

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

February 3, 1998

MEMORANDUM AND ORDER

(Schedule for Filing Notice of Appearance  
and Correction to February 2, 1998  
Licensing Board Issuance)

By amended petition dated February 2, 1998, the group Scientists for Secure Waste Storage (SSWS) seeks to intervene in this proceeding. This document, the third such filing submitted by Richard Wilson and other named petitioners, indicates that Richard Wilson is the spokesman for SSWS. In addition, the amended petition states that the Atlantic Legal Foundation (ALF) is acting as SSWS's "legal advisor." The previous filings indicated they were being submitted "on behalf of" ALF.

Under the agency's rules of practice, a "partnership, corporation, or unincorporated association" wishing to intervene in a proceeding may be represented by "a duly authorized member or officer, or by an attorney at law."

See 10 C.F.R. § 2.713(b). Further, any person appearing on behalf of such a entity in a representative capacity must file a written notice of appearance includes the following information:

[H]is or her name, address, and telephone number; the name and address of the person on whose behalf he or she appears; and, in the case of an attorney-at-law, the basis of his or her eligibility as a representative or, in the case of another representative, the basis of his or her authority to act on behalf of the party.

On or before Tuesday, February 10, 1998, each representative or attorney of SSWS and ALF (if ALF wishes to be a party to this proceeding) shall file a notice of appearance that complies with the requirements of section 2.713(c). In addition, consistent with the Board's September 23, 1997 initial prehearing order, each notice of appearance shall include the facsimile number and e-mail address of the representative or attorney. See Licensing Board Memorandum and Order (Initial Prehearing Order) (Sept. 23, 1997) at 3-4 (unpublished).

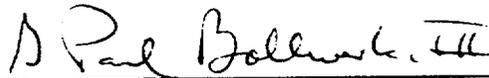
In addition to serving an original and conforming paper copies on the Office of the Secretary, and serving paper copies on the Board members and the other participants in this proceeding, see 10 C.F.R. § 2.712, the filings required under this memorandum and order should be served on the Board, the Office of the Secretary, and counsel for the other participants by facsimile transmission, e-mail, or

other means that will ensure receipt by close of business (4:30 p.m. EST) on the day of filing. See id. at 5-6; Licensing Board Memorandum and Order (Additional Guidance on Service Procedures) (Nov. 19, 1997) (unpublished).

Finally, on the eighth line of page two of the Board's February 2, 1998 memorandum and order, the reference to "paragraph I.A." is revised to read "paragraph I.B."

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD\*



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G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland

February 3, 1998

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\* Copies of this memorandum and order were sent this date by Internet e-mail transmission to counsel for the applicant Private Fuel Storage, L.L.C., to counsel for petitioners Skull Valley Band of Goshute Indians, Ohngo Gaudaden Devia, Confederated Tribes of the Goshute Reservation and David Pete, Castle Rock Land and Livestock, L.C., et al., and the State of Utah, and to the spokesman for petitioner SSWS; and to counsel for the NRC staff by e-mail through the agency's wide area network system.

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NUCLEAR REGULATORY COMMISSION

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PRIVATE FUEL STORAGE, LLC

(Independent Spent Fuel Storage  
Installation)

Docket No.(s) 72-22-ISFSI

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB M&O--SCHEDULE FOR FILING... have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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Dated at Rockville, Md. this  
3 day of February 1998

*Adria T. Byrdson*  
Office of the Secretary of the Commission