

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNR

ATOMIC SAFETY AND LICENSING BOARD

'99 JAN -4 P2:56

Before Administrative Judges:

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

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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

January 4, 1999

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ORDER

(Granting Motion for Leave
to Exceed Page Limit)

Upon consideration of the December 31, 1998 request of intervenor State of Utah (State) for leave to exceed the ten-page limit on pleadings relative to its response to the December 21, 1998 notice of withdrawal of petitioners Castle Rock Land and Livestock, L.C., and Skull Valley Company, Ltd., (Castle Rock/Skull Valley), and there being no opposition thereto,¹ it is

ORDERED, that the State's December 31 motion to exceed the ten-page limit on pleadings is granted in that the

¹ In its motion, the State indicated it was unable to reach counsel for applicant Private Fuel Storage, L.L.C., (PFS) and the NRC staff to ascertain their position on its request. The Board today contacted counsel for both parties, who indicated they did not intend to file a response.

State's pleading in response to the December 21 Castle Rock/Skull Valley withdrawal notice may be up to and including fifteen pages in length; and it is

FURTHER ORDERED, that any other party's response to the Castle Rock/Skull Valley withdrawal notice may be up to and including fifteen pages in length.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD²



G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

January 4, 1998

² Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) the applicant PFS; (2) intervenors Skull Valley Band of Goshute Indians, Ohngo Gaudadeh Devia, Confederated Tribes of the Goshute Reservation, Castle Rock/Skull Valley, and the State; (3) petitioner Southern Utah Wilderness Alliance; and (4) the staff.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

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 ORDER-GRANT'G MOT...PG. LMT 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.

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

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

Sherwin E. Turk, Esq.
Catherine L. Marco, Esq.
Office of the General Counsel
Mail Stop - 0-15 B18
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Diane Curran, Esq.
Harmon, Curran, Spielberg & Eisenberg
2001 S Street, N.W., Suite 430
Washington, DC 20009

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

Joro Walker, Esq.
Land and Water Fund of the Rockies
165 South Main, Suite 1
Salt Lake City, UT 84111

Docket No.(s)72-22-ISFSI
LB ORDER-GRANT'G MOT...PG. LMT

Denise Chancellor, Esq.
Assistant Attorney General
Utah Attorney General's Office
160 East 300 South, 5th Floor
P.O. Box 140873
Salt Lake City, UT 84114

Jay E. Silberg, Esq.
Shaw, Pittman, Potts and Trowbridge
2300 N Street, NW
Washington, DC 20037

John Paul Kennedy, Esq.
Confederated Tribes of the Goshute
Reservation and David Pete
1385 Yale Avenue
Salt Lake City, UT 84105

Richard E. Condit, Esq.
Land and Water Fund of the Rockies
2260 Baseline Road, Suite 200
Boulder, CO 80302

Clayton J. Parr, Esq.
Castle Rock, et al.
Parr, Waddoups, Brown, Gee & Loveless
185 South State Street, Suite 1300
Salt Lake City, UT 84111

Danny Quintana, Esq.
Skull Valley Band of Goshute Indians
Danny Quintana & Assocs., P.C.
50 West Broadway, Fourth Floor
Salt Lake City, UT 84101

Richard Wilson
Department of Physics
Harvard University
Cambridge, MA 02138

Dated at Rockville, Md. this
4 day of January 1999

Adrian T. Byrdson
Office of the Secretary of the Commission

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	Docket No. 72-22-ISFSI
PRIVATE FUEL STORAGE, LLC)	ASLBP No. 97-732-02-ISFSI
(Independent Spent Fuel)	
Storage Installation))	December 31, 1998

**STATE OF UTAH'S MOTION FOR LEAVE TO EXCEED
THE TEN PAGE LIMITATION FOR ITS RESPONSE
TO CASTLE ROCK'S NOTICE OF WITHDRAWAL**

The Board, in its February 2, 1998 Memorandum and Order (Memorializing Initial Prehearing Conference Directives) set a page limitation of ten pages for "all motions and related responsive pleadings" absent preapproval of the Board to exceed the ten page limit. Order at 3. In accordance with that Order, the State requests the Board's approval to exceed the ten page limitation with respect to State's response to Castle Rock Land and Livestock, L.C., and Skull Valley Company, Ltd., ("Castle Rock") notice of withdrawal due on January 5, 1999. The State anticipates that a total of 15 pages will be sufficient.

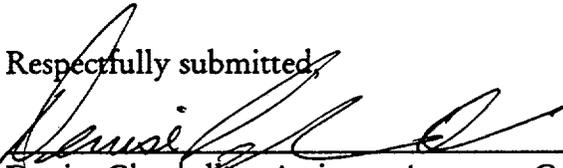
The State believes this request is reasonable in that the State wishes to address all ten of Castle Rock's contentions admitted by the Board.

Additionally, counsel for the State has attempted to contact counsel for the Applicant and the NRC Staff; however, neither were available. Counsel for the Confederated Band of Goshutes, Ohngo Gaudadeh Devia, and Southern Utah Wilderness Alliance do not object.

Pursuant to the Board's February 2, 1998 Order, the State motions for approval to exceed the ten-page limit by an additional five pages for the State's response to Castle Rock's notice of withdrawal. The State does not object to other parties having the same page limit.

DATED this 31st day of December, 1998.

Respectfully submitted,



Denise Chancellor, Assistant Attorney General
Fred G Nelson, Assistant Attorney General
Diane Curran, Special Assistant Attorney General
Connie Nakahara, Special Assistant Attorney General
Attorneys for State of Utah
Utah Attorney General's Office
160 East 300 South, 5th Floor, P.O. Box 140873
Salt Lake City, UT 84114-0873
Telephone: (801) 366-0286, Fax: (801) 366-0292

CERTIFICATE OF SERVICE

I hereby certify that a copy of STATE OF UTAH'S MOTION FOR LEAVE TO EXCEED THE TEN PAGE LIMITATION FOR STATE'S RESPONSE TO CASTLE ROCK'S NOTICE OF WITHDRAWAL was served on the persons listed below by electronic mail (unless otherwise noted) with conforming copies by United States mail first class, this 31st day of December, 1998:

Rulemaking & Adjudication Staff
Secretary of the Commission
U. S. Nuclear Regulatory
Commission
Washington D.C. 20555
E-mail: hearingdocket@nrc.gov
(original and two copies)

Dr. Peter S. Lam
Administrative Judge
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory
Commission
Washington, DC 20555
E-Mail: psl@nrc.gov

G. Paul Bollwerk, III, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory
Commission
Washington, DC 20555
E-Mail: gpb@nrc.gov

Sherwin E. Turk, Esq.
Catherine L. Marco, Esq.
Office of the General Counsel
Mail Stop - 0-15 B18
U.S. Nuclear Regulatory
Commission
Washington, DC 20555
E-Mail: set@nrc.gov
E-Mail: clm@nrc.gov
E-Mail: pfscase@nrc.gov

Dr. Jerry R. Kline
Administrative Judge
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory
Commission
Washington, DC 20555
E-Mail: jrk2@nrc.gov

Jay E. Silberg, Esq.
Ernest L. Blake, Jr.
Shaw, Pittman, Potts & Trowbridge
2300 N Street, N. W.
Washington, DC 20037-8007
E-Mail: Jay_Silberg@shawpittman.com
E-Mail: ernest_blake@shawpittman.com
E-Mail: paul_gaukler@shawpittman.com

Clayton J. Parr, Esq.
Parr, Waddoups, Brown, Gee &
Loveless
185 South State Street, Suite 1300
P. O. Box 11019
Salt Lake City, Utah 84147-0019
E-Mail: karenj@pwlaw.com

John Paul Kennedy, Sr., Esq.
1385 Yale Avenue
Salt Lake City, Utah 84105
E-Mail: john@kennedys.org

Richard E. Condit, Esq.
Land and Water Fund of the Rockies
2260 Baseline Road, Suite 200
Boulder, Colorado 80302
E-Mail: rcondit@lawfund.org

Joro Walker, Esq.
Land and Water Fund of the Rockies
165 South Main, Suite 1
Salt Lake City, Utah 84111
E-Mail: joro61@inconnect.com

Danny Quintana, Esq.
Danny Quintana & Associates, P.C.
50 West Broadway, Fourth Floor
Salt Lake City, Utah 84101
E-Mail: quintana@xmission.com

James M. Cutchin
Atomic Safety and Licensing Board
Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555-0001
E-Mail: jmc3@nrc.gov
(electronic copy only)

Office of the Commission Appellate
Adjudication
Mail Stop: 16-G-15 OWFN
U. S. Nuclear Regulatory
Commission
Washington, DC 20555
(United States mail only)



Denise Chancellor
Assistant Attorney General
State of Utah