

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'98 DEC 31 09:03

Before Administrative Judges:

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

CLERK  
ADJ.

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  
December 30, 1998

ORDER

(Granting Motion for  
Leave to File a Reply)

**SERVED DEC 31 1998**

Upon consideration of December 28, 1998 request of applicant Private Fuel Storage (PFS) for leave to file a reply to the December 22, 1998 pleading of intervenor State of Utah (State) concerning the NRC staff's December 16, 1998 "lead agency" submission, including the representations in that request concerning the length of the PFS reply filing and the positions of the State, petitioner Southern Utah Wilderness Alliance (SUWA), and the staff regarding the PFS request, it is

ORDERED, that the PFS request for leave to file a reply is granted; and it is

FURTHER ORDERED, that PFS shall have up to and including Tuesday, January 5, 1999, within which to file its reply.

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 midnight Eastern Time (ET) on the day of filing. See Licensing Board Memorandum and Order (Initial Prehearing Order) (Sept. 23, 1997) at 5-6 (unpublished); Licensing Board Memorandum and Order (Additional Guidance on Service Procedures) (Nov. 19, 1997) (unpublished); Licensing Board Memorandum and Order (Schedule for Telephone Conference and Directives Regarding Expedited Service) (Sept. 2, 1998) at 2-3 (unpublished).

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD\*



G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland

December 30, 1998

---

\* 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 Land and Livestock, L.C./Skull Valley Company, LTD., and the State; (3) petitioner SUWA; 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--(GRANTING MOTION...) 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--(GRANTING MOTION...)

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  
31 day of December 1998

  
Office of the Secretary of the Commission