

RAS 2134

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

DOCKETED 9/1/00

SERVED 9/1/00

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

September 1, 2000

ORDER

(Granting Motion for Leave to File Reply and
Permitting Additional Filings on Impact of CLI-00-13)

Upon consideration of (1) intervenor State of Utah's August 31, 2000 motion for leave to reply to the August 30, 2000 responses of applicant Private Fuel Storage, L.L.C., (PFS) and the NRC staff to the State's August 2, 2000 request to admit late-filed contentions Utah LL through Utah OO, including the representations therein regarding those parties' positions on the State's motion; and (2) the August 28, 2000 filings by PFS, the State, and the staff in which they discuss the impact of the Commission's decision in CLI-00-13, 52 NRC __ (Aug. 1, 2000), on the matters that are the subject of the parties' July 31, 2000 proposed findings of fact and conclusions of law relating to the issues considered in the Board's June 2000 evidentiary hearing sessions, it is

ORDERED, that the State's August 31, 2000 motion for leave to file a reply is granted and its reply shall be filed on or before Thursday, September 7, 2000, and it is

FURTHER ORDERED, that on or before Monday, September 11, 2000, PFS, the State, and the staff may submit filings, not to exceed ten pages in length, responding to the other

parties' discussions regarding the impact of CLI-00-13, including the State's suggestions regarding the adoption of additional license conditions.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

September 1, 2000

*Copies of this order were sent this date by Internet e-mail transmission to 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 staff.

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NUCLEAR REGULATORY COMMISSION

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Installation))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (GRANTING MOTION FOR LEAVE TO FILE REPLY AND PERMITTING ADDITIONAL FILINGS ON IMPACT OF CLI-00-13) 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 (GRANTING MOTION
FOR LEAVE TO FILE REPLY AND
PERMITTING ADDITIONAL FILINGS
ON IMPACT OF CLI-00-13)

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[Original Signed by Kris Cater]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 1st day of September 2000