

RAS 2264

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

DOCKETED 10/06/00

SERVED 10/06/00

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

October 6, 2000

ORDER

(Revising Scheduling Order and Granting Motion to Withdraw)

Upon consideration of (1) the request to revise the Board's October 5, 2000 scheduling order that was communicated by applicant Private Fuel Storage, L.L.C., (PFS) and intervenor State of Utah (State) to the Board Chairman by telephone conference this date, to which the Board understands the NRC staff has no objection; and (2) the State's September 14, 2000 request to withdraw contention Utah GG, Failure to Demonstrate Cask-Pad Stability During Seismic Event for TranStor Casks, and the staff's September 21, 2000 response thereto, it is

ORDERED, that the Board's October 5, 2000 scheduling order is revised by adding an additional paragraph after paragraph three to the first ordering paragraph that reads as follows:

- 3A. On or before Tuesday, November 7, 2000, the State, as lead counsel for contention Utah E/Confederated Tribes F, Financial Assurance, shall file its objections, if any, to the adequacy of the MSA to meet the concerns expressed in contention Utah E/Confederated Tribes F;

and it is

FURTHER ORDERED, that the State's September 14, 2000 request to withdraw contention Utah GG is granted.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

October 6, 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.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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PRIVATE FUEL STORAGE, L.L.C.) Docket No. 72-22-ISFSI
)
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Installation))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (REVISING SCHEDULING ORDER AND GRANTING MOTION TO WITHDRAW) 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 (REVISING SCHEDULING
ORDER AND GRANTING MOTION TO WITHDRAW)

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[Original signed by Adria T. Byrdsong]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 6th day of October 2000