RAS 2578

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

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

In the Matter of	Docket No. 72-22-ISFSI
PRIVATE FUEL STORAGE, L.L.C.	ASLBP No. 97-732-02-ISFSI
(Independent Spent Fuel Storage Installation)	January 4, 2001

ORDER
(Granting Summary Disposition Response
Time Extension Motion)

Upon consideration of the January 2, 2001 motion of intervenor State of Utah (State) for an extension of time within which to file its response to the December 30, 2000 motions of applicant Private Fuel Storage, L.L.C., (PFS) for summary disposition of contentions Utah K/Confederated Tribes B, Inadequate Consideration of Credible Accidents, and contention Utah L, Geotechnical, and there being no opposition thereto, it is

ORDERED, that the State's January 2, 2001 motion for extension of time to file responses to the PFS December 30, 2000 summary disposition motions regarding contentions Utah K/Confederated Tribes B and Utah L is granted in that (1) party responses to the December 30, 2000 PFS dispositive motions shall be filed on or before Tuesday, January 30, 2001; and (2) replies to party responses supporting the PFS dispositive motions shall be filed on or before Friday, February 9, 2001.

A revised general schedule for this proceeding reflecting these revisions and associated changes is included as Attachment A to this issuance.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

January 4, 2001

* 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 NRC staff.

ATTACHMENT A

PRIVATE FUEL STORAGE PROCEEDING GENERAL SCHEDULE -- As revised 1/4/01

EVENT	GROUPS I-II/A[1]	GROUPS I-II/B[2]	GROUP III[3]
Informal Discovery Begins -- All Parties	May 19, 1998	May 19, 1998	May 19, 1998
Informal Discovery Closes -- All Parties	February 28, 1999	February 28, 1999	February 28, 1999
Staff Position on Contentions	December 15, 1999	April 28, 2000 SER -- September 29, 2000	DEIS -- June 2000 FEIS -- February 2001
Formal Discovery Begins -- All Parties	March 1, 1999	March 1, 1999	March 1, 1999, except (1) DEIS-related discovery against Staff - August 15, 2000; and (2) FEIS-related discovery against Staff -- begins on FEIS issuance date
Formal Discovery Ends -- All Parties Except Against Staff	May 28, 1999, subject to a November 15, 1999 (against the Staff - December 15, 1999) - January 31, 2000 limited discovery window	May 28, 1999, subject to a limited window for (1) Utah L depositions (August 15 - September 29, 2000, except through October 30, 2000, for Dr. Arabasz); and (2) discovery against the Staff (begins October 25, 2000)	May 28, 1999, subject to January 16 - March 15, 2001 limited discovery window
Formal Discovery Ends -- Against Staff	February 15, 2000	December 11, 2000	DEIS -- September 29, 2000 FEIS -- April 13, 2001
Summary Disposition Motions Final Filing Date	February 1, 2000	December 30, 2000	March 15, 2001
Summary Disposition Motion Responses Final Filing Date	March 1, 2000	February 9, 2001	April 13, 2001
Board Summary Disposition Decision	March 31, 2000	March 16, 2001	May 11, 2001
Pre-filed Testimony Submitted	May 15, 2000	May 11, 2001	June 11, 2001
In Limine Motions Due	May 31, 2000	May 25, 2001	June 25, 2001
Hearings (including limited appearance sessions as appropriate)	June 19 - June 30, 2000	July 9 - August 3, 2001	July 9 - August 3, 2001
Findings of Fact (Simultaneous filings)	July 31, 2000	September 7, 2001	September 7, 2001
Findings of Fact Responses (Simultaneous filings)	August 28, 2000	October 1, 2001	October 1, 2001
Initial Decision	December 29, 2000 (Utah R); other contentions pending consideration of related reopening/dispositive motions	November 30, 2001	November 30, 2001

[1] The contentions in Groups I-II/A include Utah E/Confederated Tribes F; Utah R; and Utah S.

[2] The contentions in Groups I-II/B include Utah K/Confederated Tribes B and Utah L.

[3] The contentions in Group III include Utah O; Utah T; Utah V; Utah W; Utah Z; Utah AA; Utah DD; OGD O; and SUWA B.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
PRIVATE FUEL STORAGE, L.L.C.	)	Docket No. 72-22-ISFSI
	)	
(Independent Spent Fuel Storage Installation)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (GRANTING SUMMARY DISPOSITION RESPONSE TIME EXTENSION MOTION) 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 SUMMARY
DISPOSITION RESPONSE TIME
EXTENSION MOTION)

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 4th day of January 2001