

RAS 2987

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

DOCKETED 04/20/01

SERVED 04/20/01

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

April 20, 2001

ORDER

(Granting Request to Defer Depositions and Extend
Summary Disposition Response Time)

Upon consideration of the April 18, 2001 submission incorporating (1) a joint request of applicant Private Fuel Storage, L.L.C., and intervenor State of Utah (State) to defer the schedule for depositions regarding contentions Utah V, Inadequate Consideration of Transportation-Related Radiological Environmental Impacts; Utah Z, No Action Alternative; and Utah AA, Range of Alternatives, all of which are the subject of pending PFS summary disposition motions; and (2) a State request for an extension of time to respond to the PFS summary disposition motions regarding contentions Utah V and Utah AA, and there being no opposition thereto, it is

ORDERED, that the April 18, 2001 joint request for deferral of the deadline for conducting depositions regarding contentions Utah V, Utah Z, and Utah AA is granted and the deadline for those parties to complete depositions regarding those contentions is suspended pending further order of the Board; and it is

FURTHER ORDERED, that the April 18, 2001 State request for an extension of time to file responses to the PFS summary disposition motions regarding contentions Utah V and Utah AA is granted in that party responses to these summary disposition motions shall be filed on or before Tuesday, May 15, 2001.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

April 20, 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.

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 REQUEST TO DEFER DEPOSITIONS AND EXTEND SUMMARY DISPOSITION RESPONSE TIME) the following persons by deposit in the U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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 20555-0001

Administrative Judge
Jerry R. Kline
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Peter S. Lam
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Sherwin E. Turk, Esquire
Catherine L. Marco, Esquire
Office of the General Counsel
Mail Stop - 0-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Diane Curran, Esquire
Harmon, Curran, Spielberg
& Eisenberg, L.L.P.
1726 M Street, NW, Suite 600
Washington, DC 20036

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

Joro Walker, Esquire
Director, Utah Office
Land and Water Fund of the Rockies
1473 South 1100 East, Suite F
Salt Lake City, UT 84105

Docket No. 72-22-ISFSI
LB ORDER (GRANTING REQUEST
TO DEFER DEPOSITIONS AND EXTEND
SUMMARY DISPOSITION RESPONSE TIME)

Denise Chancellor, Esquire
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, Esquire
D. Sean Barnett, Esquire
Shaw Pittman
2300 N Street, NW
Washington, DC 20037-1128

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

Richard Wilson
Department of Physics
Harvard University
Cambridge, MA 02138

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

Danny Quintana, Esquire
Skull Valley Band of Goshute Indians
Danny Quintana & Associates, P.C.
68 South Main Street, Suite 600
Salt Lake City, UT 84101

Samuel E. Shepley, Esq.
Steadman & Shepley, LC
550 South 300 West
Payson, UT 84651-2808

[Original signed by Adria T. Byrdsong]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 20th day of April 2001