

RAS 3410

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 09/20/01
SERVED 09/20/01

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

PRIVATE FUEL STORAGE, L.L.C.

(Independent Spent Fuel Storage Installation)

Docket No. 72-22-ISFSI

ASLBP No. 97-732-02-ISFSI

September 20, 2001

ORDER

(General Schedule Revisions)

Upon consideration of the March 18, 2001 telephone conference request of applicant Private Fuel Storage, L.L.C., (PFS) and intervenor State of Utah (State) for a revision of the general schedule relative to the due date for submitting prefiled testimony regarding contention Utah K/Confederated Tribes B, Inadequate Consideration of Credible Accidents, and there being no NRC staff opposition thereto, it is

ORDERED, that the general schedule for this proceeding is revised to indicate that the parties' prefiled testimony regarding contention Utah K/Confederated Tribes B shall be filed on or before Thursday, February 7, 2002.

The general schedule for this proceeding included as Attachment A to this order reflects this revision as well as the Licensing Board summary disposition ruling this date in LBP-01-26, 54 NRC __ (Sept. 20, 2001), regarding contention Utah AA, Range of Alternatives.

FOR THE ATOMIC SAFETY*
AND LICENSING BOARD

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

September 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 staff.

ATTACHMENT A

PRIVATE FUEL STORAGE, L.C.C. PROCEEDING GENERAL SCHEDULE -- As revised 9/20/01

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	Feb. 28, 1999	Feb. 28, 1999	Feb. 28, 1999
Staff Position on Contentions	Dec. 15, 1999	SER -- Sept. 29, 2000 SSER -- Nov. 13, 2001, for Utah K/Confederated Tribes B and Dec. 21, 2001 for Utah L	DEIS -- June 2000 FEIS -- Dec. 21, 2001
Formal Discovery Begins -- All Parties	Mar. 1, 1999	Mar. 1, 1999, except for Utah L, Basis B, which commences on Sept. 17, 2001	Mar. 1, 1999, except (1) DEIS-related discovery against Staff - Aug. 15, 2000; and (2) FEIS-related discovery against Staff - Jan. 2, 2002
Formal Discovery Ends -- All Parties Except Against Staff (unless otherwise noted)	May 28, 1999, subject to a Nov. 15, 1999 (against Staff - Dec. 15, 1999) - Jan. 31, 2000 limited discovery window	May 28, 1999, except for Utah L, Basis B, which ends Nov. 16, 2001, and subject to limited windows for (1) Utah L, Basis A depositions (Aug. 15 - Sept. 29, 2000, except through Oct. 30, 2000, for Dr. Arabasz); and (2) discovery against Staff beginning (i) Oct. 25, 2000 for Utah L, Basis A, (ii) Nov. 21, 2001 (new Utah K/Confederated Tribes B matters), and (iii) Jan. 2, 2002 (new Utah L matters).	May 28, 1999, subject to Jan. 16 - Mar. 15, 2001 limited discovery window
Formal Discovery Ends -- Against Staff	Feb. 15, 2000	(2)(i) above - Dec. 11, 2000 (2)(ii) above - Dec. 21, 2001 (2)(iii) above - Feb. 1, 2002	DEIS -- Sept. 29, 2000 FEIS -- Feb. 13, 2002 (assumes FEIS receipt by parties before Jan. 2, 2002)
Summary Disposition Motions Final Filing Date	Feb. 1, 2000	Dec. 30, 2000, except for Utah L, Basis B, which must be filed by Nov. 9, 2001	(a) May 25, 2001 (20 pages); (b) June 29, 2001 (15 pages); (c) July 27, 2001 (10 pages)
Summary Disposition Motion Responses Final Filing Date	Mar. 1, 2000	Feb. 9, 2001, except for Utah L, Basis B, which must be filed by Dec. 10, 2001	(a) June 25, 2001; (b) July 30, 2001; (c) Aug. 27, 2001
Board Summary Disposition Decision	Mar. 31, 2000	Apr. 30, 2001, except Utah L, Basis B, which is to be decided by Feb. 8, 2002	Nov. 16, 2001
Pre-filed Testimony Submitted	May 15, 2000	Utah K/Confederated Tribes B - Feb. 7, 2002 Utah L - Mar. 11, 2002	Mar. 18, 2002
In Limine Motions Due	May 31, 2000	Mar. 25, 2002	Apr. 1, 2002
Hearings (including limited appearance sessions as appropriate)	June 19 - June 30, 2000	Apr. 8 - 26, 2002	Apr. 15 - 26, 2002
Findings of Fact (Simultaneous filings)	July 31, 2000	June 7, 2002	June 7, 2002
Findings of Fact Responses (Simultaneous filings)	Aug. 28, 2000	July 8, 2002	July 8, 2002
Initial Decision	Oct. 30, 2000	Sept. 9, 2002	Sept. 9, 2002

¹ The outstanding contentions in Groups I-II/A are Utah E/Confederated Tribes F and Utah S.

² The outstanding contentions in Groups I-II/B are Utah K/Confederated Tribes B and Utah L.

³ The outstanding contentions in Group III are Utah O; Utah W; Utah DD; OGD O; and SUWA B.

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NUCLEAR REGULATORY COMMISSION

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(Independent Spent Fuel Storage)
Installation))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (GENERAL SCHEDULE REVISIONS) 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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LB ORDER (GENERAL SCHEDULE REVISIONS)

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

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