

20993

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USMRC

ATOMIC SAFETY AND LICENSING BOARD

'99 NOV 19 P2:28

Before Administrative Judges:

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

OFFICE OF SECRETARY
RULEMAKING AND
ADJUDICATIONS STAFF

SERVED NOV 19 1999

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
November 19, 1999

ORDER
(Granting Protective Order
Extension Motion)

Upon consideration of the November 19, 1999 joint motion of applicant Private Fuel Storage, L.L.C., (PFS) and intervenor State of Utah (Utah) for an extension of time for PFS to file a protective order regarding production of disputed material relating to contention Utah H, Inadequate Thermal Design, which the NRC staff does not oppose, and the appropriate showing having been made to support filing the extension motion less than three business days before the motion due date and for the requested extension, it is

ORDERED, that the November 19, 1999 joint extension motion is granted; and it is

FURTHER ORDERED, that consistent with the parties' representations that (1) PFS will produce additional


PDR ADOCK

DS02

contention Utah H-related information on Tuesday, November 30, 1999; and (2) the State will review that material by Tuesday, December 7, 1999, to determine whether it wishes to maintain its request for the "FLUENT" software package, which is represented to be the remaining matter still in dispute, any PFS protective order relating to production of the "FLUENT" code shall be filed on or before Monday, December 13, 1999, and any State response thereto shall be filed on or before Thursday, December 23, 1999.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*



G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

November 19, 1999

* 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

In the Matter of

PRIVATE FUEL STORAGE, LLC

(Independent Spent Fuel Storage
Installation)

Docket No.(s) 72-22-ISFSI

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER GRANTING...EXT. MOTION have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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

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

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

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

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

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

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

Joro Walker, Esq.
Land and Water Fund of the Rockies
2056 East 3300 South, Suite 1
Salt Lake City, UT 84109

Docket No.(s)72-22-ISFSI
ORDER GRANTING...EXT. MOTION

Denise Chancellor, Esq.
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, Esq.
Shaw, Pittman, Potts & Trowbridge
2300 N Street, NW
Washington, DC 20037

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

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

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

Richard Wilson
Department of Physics
Harvard University
Cambridge, MA 02138

Dated at Rockville, Md. this
19 day of November 1999


Office of the Secretary of the Commission