

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNR

ATOMIC SAFETY AND LICENSING BOARD

'99 JAN -4 P2:56

Before Administrative Judges:

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

OL
ADJ

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

January 4, 1999

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ORDER
(Granting Motion for Leave
to Exceed Page Limit)

Upon consideration of the December 31, 1998 request of intervenor State of Utah (State) for leave to exceed the ten-page limit on pleadings relative to its response to the December 21, 1998 notice of withdrawal of petitioners Castle Rock Land and Livestock, L.C., and Skull Valley Company, Ltd., (Castle Rock/Skull Valley), and there being no opposition thereto,¹ it is

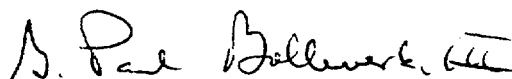
ORDERED, that the State's December 31 motion to exceed the ten-page limit on pleadings is granted in that the

¹ In its motion, the State indicated it was unable to reach counsel for applicant Private Fuel Storage, L.L.C., (PFS) and the NRC staff to ascertain their position on its request. The Board today contacted counsel for both parties, who indicated they did not intend to file a response.

State's pleading in response to the December 21 Castle Rock/Skull Valley withdrawal notice may be up to and including fifteen pages in length; and it is

FURTHER ORDERED, that any other party's response to the Castle Rock/Skull Valley withdrawal notice may be up to and including fifteen pages in length.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD²



G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

January 4, 1998

² Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) the applicant PFS; (2) intervenors Skull Valley Band of Goshute Indians, Ohngo Gaudadeh Devia, Confederated Tribes of the Goshute Reservation, Castle Rock/Skull Valley, and the State; (3) petitioner Southern Utah Wilderness Alliance; and (4) 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 LB ORDER-GRANT'G MOT...PG. LMT 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.

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Docket No.(s)72-22-ISFSI
LB ORDER-GRANT'G MOT...PG. LMT

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Dated at Rockville, Md. this
4 day of January 1999

Adrian T. Byrdson
Office of the Secretary of the Commission

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:	)	Docket No. 72-22-ISFSI
	)	
PRIVATE FUEL STORAGE, LLC	)	ASLBP No. 97-732-02-ISFSI
(Independent Spent Fuel	)	
Storage Installation)	)	December 31, 1998

STATE OF UTAH'S MOTION FOR LEAVE TO EXCEED
THE TEN PAGE LIMITATION FOR ITS RESPONSE
TO CASTLE ROCK'S NOTICE OF WITHDRAWAL

The Board, in its February 2, 1998 Memorandum and Order (Memorializing Initial Prehearing Conference Directives) set a page limitation of ten pages for "all motions and related responsive pleadings" absent preapproval of the Board to exceed the ten page limit. Order at 3. In accordance with that Order, the State requests the Board's approval to exceed the ten page limitation with respect to State's response to Castle Rock Land and Livestock, L.C., and Skull Valley Company, Ltd., ("Castle Rock") notice of withdrawal due on January 5, 1999. The State anticipates that a total of 15 pages will be sufficient.

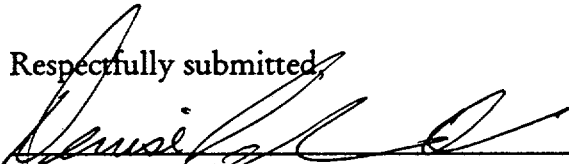
The State believes this request is reasonable in that the State wishes to address all ten of Castle Rock's contentions admitted by the Board.

Additionally, counsel for the State has attempted to contact counsel for the Applicant and the NRC Staff; however, neither were available. Counsel for the Confederated Band of Goshutes, Ohngo Gaudadeh Devia, and Southern Utah Wilderness Alliance do not object.

Pursuant to the Board's February 2, 1998 Order, the State motions for approval to exceed the ten-page limit by an additional five pages for the State's response to Castle Rock's notice of withdrawal. The State does not object to other parties having the same page limit.

DATED this 31st day of December, 1998.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of STATE OF UTAH'S MOTION FOR
LEAVE TO EXCEED THE TEN PAGE LIMITATION FOR STATE'S
RESPONSE TO CASTLE ROCK'S NOTICE OF WITHDRAWAL was
served on the persons listed below by electronic mail (unless otherwise noted)
with conforming copies by United States mail first class, this 31st day of
December, 1998:

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