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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'00 FEB 28 P2:43

Before Administrative Judges:

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

OFFICE OF THE  
RULEMAKING AND  
ADJUDICATION STAFF

**SERVED FEB 28 2000**

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

February 28, 2000

ORDER

(Revising Procedures Governing  
Service of Pleadings and Issuances  
Containing Proprietary Information)

Upon consideration of the parties' representations during the February 22, 2000 telephone prehearing conference regarding service of NRC staff pleadings and Board issuances containing information identified as being proprietary in accordance with 10 C.F.R. § 2.790, see Tr. at 1303-05; see also Tr. at 1265-68, it is

ORDERED, that the provision of the Board's December 31, 1997 issuance requiring overnight mail service of pleadings containing proprietary information,<sup>1</sup> is amended to permit

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<sup>1</sup> See Licensing Board Order (Granting Leave to File Response to Contentions and Schedule for Responses to Late-Filed Contentions) (Dec. 31, 1997) at 2-3 & n.1 (unpublished); see also Licensing Board Memorandum and Order (Protective Order and Schedule for Filing Security Plan

(continued...)

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the staff and the Board to serve pleadings and issuances containing proprietary information by facsimile transmission or e-mail on those participants to this proceeding who are authorized to have access to such information.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>2</sup>



G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

This order is issued pursuant to the authority of the Chairman of the Atomic Safety and Licensing Board designated for this proceeding.

Rockville, Maryland

February 28, 2000

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<sup>1</sup>(...continued)  
Contentions) (Dec. 17, 1997) at 8, 9 (unpublished);  
Licensing Board Memorandum and Order (Additional Amendments  
to Protective Order) (Dec. 23, 1997) at 2 (unpublished).

<sup>2</sup> Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) applicant Private Fuel Storage, L.L.C.; (2) intervenors Skull Valley Band of Goshute Indians, Ohngo Gaudadeh Devia, Confederated Tribes of the Goshute Reservation, Southern Utah Wilderness Alliance, and the State of Utah; and (3) the staff.

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

In the Matter of )

PRIVATE FUEL STORAGE, L.L.C. )

(Independent Spent Fuel Storage  
Installation) )

Docket No. 72-22-ISFSI

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing LB ORDER (REVISING PROCEDURES GOVERNING SERVICE OF PLEADINGS AND ISSUANCES CONTAINING PROPRIETARY INFORMATION) have been served upon the following persons by deposit in the 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. 72-22-ISFSI  
LB ORDER (REVISING PROCEDURES  
GOVERNING SERVICE OF PLEADINGS  
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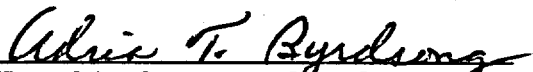
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Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 28<sup>th</sup> day of February 2000