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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING BOARD

01 JUL -2 P 4:36

Before the Administrative Judges:  
Thomas S. Moore, Chairman  
Charles N. Kelber  
Peter S. Lam

OFFICE OF SECRETARY  
RULE MAKINGS AND  
ADJUDICATIONS STAFF

_____ )	
In the Matter of )	
DUKE COGEMA STONE & WEBSTER )	Docket No. 070-03098-ML
(Savannah River Mixed Oxide Fuel )	ASLBP No. 01-790-01-ML
Fabrication Facility) )	
_____ )	

OBJECTION TO  
PROTECTIVE ORDER GOVERNING  
ACCESS TO DUKE COGEMA STONE & WEBSTER  
CONSTRUCTION AUTHORIZATION REQUEST  
PROPRIETARY INFORMATION

Environmentalists, Inc. (E.I.) objects to the Protective Order and Non-disclosure affidavit prepared by Duke Cogema Stone & Webster (DCS).

The protective provisions are excessively inclusive and excessively complex.

E.I. would be expending much time and energy to comply with what DCS is proposing. This would be a handicap in terms of E.I.'s ability to meet the July 30<sup>th</sup> deadline set for submitting amendments to the organization's Request for Hearing and Petition to Intervene.

Making contentions specific enough may be impossible if E.I. doesn't have the information being withheld by DCS.

In addition the problems created by these overly protective provisions, E.I. members and advisors will not be able to discuss issues related to the licensing of the MOX facility with those not having signed the Non-disclosure affidavit. The threat of being accused of disclosing information in the Protective Order will also restrict E.I. from speaking or writing about the MOX facility and other related matters, such as licensing plans.

Sincerely,  
Ruth Thomas

President, Environmentalists, Inc.  
803-782-3000

Template = SECY-049

SECY-02

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CERTIFICATE OF SERVICE

I hereby certify that Environmentalists, Inc.'s "Objection to Protective Order Governing Access to Duke Cogema Stone & Webster Construction Authorization Request Proprietary Information and Nondisclosure Affidavit" were served this day upon the persons listed below, by United States Postal Service and by e-mail on July 27, 2001.

Secretary of Commission  
US Nuclear Regulatory Commission  
Washington, DC 20555-0001  
Attn: Rulemakings and Adjudications Staff  
E-mail: HEARINGDOCKET@nrc.gov

Administrative Judge Peter S. Lam  
Atomic Safety and Licensing Board Panel  
US Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: psl@nrc.gov

Administrative Judge  
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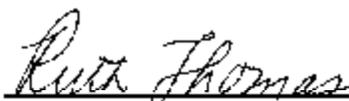
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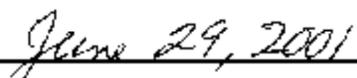
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Ruth Thomas  
President, Environmentalists, Inc.

  
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Date