

RAS 1816

DOCKETED 06/15/00

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

SERVED 06/15/00

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Charles Bechhoefer, Presiding Officer
Dr. Richard F. Cole, Special Assistant

In the Matter of

MOLYCORP, INC.
Washington, Pennsylvania

Temporary Storage of Decommissioning
Wastes

Docket No. 40-8794-MLA
40-8778-MLA

ASLBP No. 99-769-08-MLA

June 15, 2000

MEMORANDUM AND ORDER
(Suspending Filing Date)

By copy of a letter dated May 31, 2000, from counsel for Canton Township (an Intervenor in this proceeding) to counsel for Molycorp, Inc. (the Licensee), the Presiding Officer was advised that, on May 26, 2000, Molycorp had announced that the low-level radioactive waste from the York County facility would not be transported to Canton Township, but rather would be moved to a disposal site in Texas. In a subsequent telephone conference with the parties on June 13, 2000, the Presiding Officer was similarly informed of this plan, and further advised that the Licensee had not yet formally withdrawn its application with respect to the Canton Township facility.

By my Memorandum and Order dated April 11, 2000, LBP-00-10, 51 NRC 163, as corrected by an Errata dated April 19, 2000, I established certain filing schedules for this proceeding, including a date of June 23, 2000 for Canton Township to file a further specification of issues. During the conference call on June 13, I granted Canton's request (to which Molycorp concurred) to suspend this filing date, pending receipt of a request by Molycorp to withdraw the proposed license amendment under review and

terminate this proceeding. (The NRC Staff is not participating in this proceeding and thus was not included in the conference call.) If the pending license amendment is not withdrawn within the next ninety days, I will initiate a conference call to determine whether a new schedule should be set.

IT IS SO ORDERED.

/RA/

Charles Bechhoefer, Presiding Officer
ADMINISTRATIVE JUDGE

Rockville, Maryland
June 15, 2000

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (SUSPENDING FILING DATE) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate Adjudication U.S. Nuclear Regulatory Commission Washington, DC 20555	Administrative Judge Charles Bechhoefer, Presiding Officer Atomic Safety and Licensing Board Panel Mail Stop - T-3 F23 U.S. Nuclear Regulatory Commission Washington, DC 20555
Administrative Judge Richard F. Cole, Special Assistant Atomic Safety and Licensing Board Panel Mail Stop - T-3 F23	Dennis C. Dambly, Esq. Office of the General Counsel Mail Stop - O-15 D21 U.S. Nuclear Regulatory Commission
U.S. Nuclear Regulatory Commission Washington, DC 20555	Washington, DC 20555
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LB MEMORANDUM AND ORDER
(SUSPENDING FILING DATE)

[Original signed by Adria T. Byrdsong]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 15th day of June 2000

[Copies of this Memorandum and Order were sent on June 15, 2000 by e-mail to counsel for the Licensee and the NRC Staff, and by telefax to counsel for the Intervenor.]