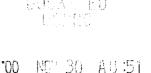
RAS 2445

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION



ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:

Alan S. Rosenthal, Presiding Officer Thomas D. Murphy, Special Assistant

| n the Matter of |) | Docket No. 40-8838-MLA |
|--------------------------------|---|-------------------------|
| J.S. ARMY |) | ASLBP No. 00-776-04-MLA |
| Jefferson Proving Ground Site) |) | November 3, 2000 |

Request for Schedule Revision

The purpose of this correspondence is to request an additional revision to the schedule for submission of the License Termination Plan and Institutional Control Plan to both Save the Valley (STV) and the Nuclear Regulatory Agency (NRC). This additional time is being requested to allow the Department of Army to conduct a review of the draft LTP/ICP in support of license termination at Jefferson Proving Ground, as well as an independent scientific peer review. The schedule submitted with the 30 September 2000 Quarterly Status Report only called for a 30-day review by the U.S. Army Soldier and Biological Chemical Command.

The need for this Army and peer review has been precipitated due to the 08 September 2000 petition by Douglas L. Rokke to the NRC concerning the use and cleanup of depleted uranium by the Department of Defense (DoD). The Department of Army would like to ensure the draft LTP/ICP for JPG license termination does not adversely impact the DoD position on the

Rokke petition. The Licensee is requesting an additional 60 days for these reviews to help us do that.

Revised Schedule (November 2000)

| Revise Draft Decommissioning Plan (DP) | 92 days | 01 August 2000 | 31 October 2000 |
|--|---------|------------------|------------------|
| Write Draft Institutional Control Plan (ICP) | 92 days | 01 August 2000 | 31 October 2000 |
| SBCCOM (Licensee) Review of Draft DP and ICP | 30 days | 01 November 2000 | 30 November 2000 |
| Dept. of Army and Peer Review of Draft DP and ICP ¹ | 60 days | 01 December 2000 | 30 January 2001 |
| Submission of Draft DP and ICP to STV | N/A | 01 February 2001 | 01 February 2001 |
| STV Comments due on Draft DP and ICP | 30 days | 01 February 2001 | 02 March 20001 |
| Comment resolution period on Draft DP and ICP | 30 days | 02 March 2001 | 01 April 2001 |
| Prepare Final Draft DP and ICP | 30 days | 01 April 2001 | 30 April 2001 |
| Final Draft DP and ICP to NRC | 14 days | 01 May 2001 | 14 May 2001 |

 This internal review will include the Air Force and the Fish Wildlife Service due to their involvement with the ICP through the MOA. The increased time period will also provide for a review by various Army offices, to include the U.S. Army Materiel Command and the Army Medical Command, as well as an independent scientific review by the American Institute of Biological Sciences and the Agency for Toxic Substances Disease Registry (ATSDR).

Please note this revised schedule still provides for a 30-day review period by STV, followed by a 30-day comment resolution period to allow discussions between the Licensee and STV in the hopes of addressing STV concerns. As noted in the 30 September 2000 Quarterly Status Report, the Licensee will also consider any changes to this schedule to accommodate concerns by the STV.

This proposed schedule change has been discussed with NRC staff. They have not raised any objections to it. This revised schedule is being proposed for review and approval by both the Board and STV.

The Licensee also would like to correct a statement made in the 30 September Quarterly

Status Report. On page 3 of this report, the first line states "the Air Force will retain use of a

bombing range which is also included in the DU Impact Area." This line should state " the Air Force will retain use of a bombing range, part of which is just north of the DU Impact Area." I apologize for any confusion this may have caused.

Dated this Friday, November 03, 2000

Peggy L. Gieseking
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UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD PANEL

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Before Administrative Judges:

Alan S. Rosenthal, Presiding Officer Thomas D. Murphy, Special Assistant

| In the Matter of |) | Docket No. 40-8838-MLA |
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| U.S. ARMY |) | ASLBP No. 00-776-04-MLA |
| (Jefferson Proving Ground Site) |))) | November 3, 2000 |

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Request for Schedule Revision have been served upon the following persons by U.S. mail, first class.

Office of the Secretary
Office of Commission Appellate Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Thomas D. Murphy, Special Assistant
Atomic Safety and Licensing Board Panel
Mail Stop-T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

DATE: 11/3/00

Administrative Judge
Alan S. Rosenthal, Presiding Officer
Atomic Safety and Licensing Board Panel
Mail Stop-T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Richard Hill, President Save the Valley, Inc. P.O. Box 813 Madison, IN 47250

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Peggy L. Gieseking U.S. Army Soldier and Biological

Chemical Command