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OFFICE OF SECRETARY  
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ADJUDICATIONS STAFF

August 7, 2001

Administrative Judge  
Thomas S. Moore, Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Administrative Judge Charles N. Kelber  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Administrative Judge Peter S. Lam  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Re: Duke Cogema Stone & Webster (Savannah River Mixed Oxide Fuel  
Fabrication Facility), Docket No. 070-03098-ML; ASLBP No. 01-  
790-01-ML - - Oral Argument Schedule

Dear Members of the Licensing Board:

Duke Cogema Stone & Webster ("DCS") has reviewed the Licensing Board's July 17, 2001 Memorandum and Order that, among other things, sets September 17, 18 or 21 for potential oral argument on standing and contentions in the above proceeding. As discussed below, Counsel for DCS have a conflict with two of these dates.

The Jewish religious high-holiday—Rosh Hashanah—begins at sundown on Monday, September 17 and ends the evening of Wednesday, September 19. Counsel for DCS, Donald Silverman and Alex Polonsky, observe this religious holiday. DCS therefore requests that the Licensing Board schedule oral argument, if required, on Friday, September 21. NRC Staff Counsel, Ms. Glenn Carroll (GANE), Mr. Don Moniak (BREDL), and Ms. Edna Foster have stated to DCS Counsel that they do not oppose this request. Ms. Ruth Thomas (Environmentalists, Inc.) has indicated that Environmentalists, Inc. may be opposing the request.

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Administrative Judge Thomas S. Moore, Chairman  
Administrative Judge Charles N. Kelber  
Administrative Judge Peter S. Lam  
August 7, 2001  
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& Bockius LLP

Accordingly, DCS respectfully requests that any oral argument on standing and contentions required by the Licensing Board occur on Friday, September 21, 2001.

Sincerely,



Donald J. Silverman  
Alex S. Polonsky  
Marjan Mashhadi  
Morgan, Lewis & Bockius, LLP  
1800 M Street, N.W.  
Washington, D.C. 20036

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD**

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

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

**CERTIFICATE OF SERVICE**

I hereby certify that copies of DCS' August 7, 2001 letter to the Licensing Board regarding the oral argument schedule were served this day upon the persons listed below, by both e-mail and United States Postal Service, first class mail, with the exception of Environmentalists, Inc., which was served by overnight mail.

Secretary of the Commission\*  
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\* Original and 2 copies

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\_\_\_\_\_  
Marjan Mashhadi

8/7/01  
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Date