

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD PANEL

September 17, 2001 (4:37PM)

Before Administrative Judges:

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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

In the matter of)	Docket No. 40-8838-MLA
)	
U.S. ARMY)	
)	ASLBP No. 00-776-04-MLA
(Jefferson Proving Ground Site))	
)	September 13, 2001
)	

Request to Put Hearing into Abeyance

Subsequent to requesting a hearing on the Decommissioning Plan (DP) for the depleted uranium (DU) area at Jefferson Proving Ground (JPG) Save the Valley (STV) and the U.S. Army agreed to work with each other in an attempt to address our concerns regarding that DP. The result of this collaboration is the License Termination Plan (LTP) submitted by the Army to the NRC in July 2001.

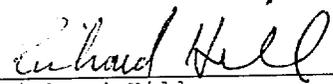
It would appear that the July 2001 LTP submission replaces the December 1999 DP for which STV originally requested a hearing. Inspection of these two documents (the DP and the LTP) would lead a reasonable person to conclude that the latter is a separate and very different document

from the former. Therefore, STV believes that it would not be appropriate to pursue a hearing request on the original 1999 DP.

Furthermore, we have been assured that the July 2001 LTP will go through the process of public comment solicitation and an opportunity for a request for hearing.

Therefore, we request that our hearing request be put into abeyance to conform to the new timeline to be submitted by the NRC staff.

Dated this 13th day of September,
2001


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

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Request 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, D.C. 20555-0001

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

Richard C. Wakeling
U.S. Army Soldier and
Biological Command
5183 Blackhawk Road
ATTN: AMSSB-RCB-RS (Building
E3330)
Aberdeen Proving Ground, MD
21010-5424

Date Sept. 13, 2001

Richard Hill

Richard Hill, President
Save the Valley, Inc.