

**RAS 3664**

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

**DOCKETED 12/14/01**

**SERVED 12/14/01**

Before Administrative Judges:

Thomas S. Moore, Chairman  
Dr. Charles N. Kelber  
Dr. Peter S. Lam

In the Matter of

DUKE COGEMA STONE & WEBSTER  
(Savannah River Mixed Oxide Fuel  
Fabrication Facility)

Docket No. 070-03098-ML

ASLBP No. 01-790-01-ML

December 14, 2001

ORDER

The Presiding Officer will hold a telephone conference with the parties admitted to the proceeding at 9:00 a.m., Thursday, December 20, 2001, to discuss a discovery schedule. The parties should immediately confer and seek to reach an agreement on a proposed discovery schedule that is in accord with the Commission's June 14, 2001, Order (CLI-01-13, 53 NRC 478 (2001)). In the event the parties fail to agree upon a proposed schedule, each party shall prepare a proposed discovery schedule that is consistent with CLI-01-13.

At least one counsel or representative of each admitted party shall participate. The participating counsel or representative of the admitted parties shall notify the Presiding Officer by e-mail no later than 12:00 noon on Wednesday, December 19, 2001, of the name of each person who will be participating. At the same time, each party shall transmit to the Presiding Officer by e-mail its proposed discovery schedule or, in the event all parties agree upon a proposed schedule, the Applicant shall transmit the proposed schedule.

To participate in the telephone conference, the counsel or representative of each admitted party shall call 1-800-638-8081 (301-231-5539 for local callers) and enter passcode 6029# at a few minutes before 9:00 a.m. on Thursday, December 20, 2001. In the event any party's counsel or representative cannot participate, that counsel or representative shall inform the Presiding Officer by close of official NRC business hours Tuesday, December 18, 2001, by e-mail and provide the Presiding Officer an alternative date and/or time on December 19 or 20, 2001, acceptable to all other counsel or representatives for holding the conference.

It is so ORDERED.

THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>1</sup>

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Thomas S. Moore  
ADMINISTRATIVE JUDGE

Rockville, Maryland

December 14, 2001

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<sup>1</sup>Copies of this Memorandum and Order were sent this date by Internet e-mail transmission to (1) GANE; (2) BREDL; (3) DCS; and (4) the NRC Staff.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
DUKE COGEMA STONE & WEBSTER ) Docket No. 70-3098-ML  
 )  
(Savannah River Mixed Oxide Fuel )  
Fabrication Facility) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER STATING THAT THE PRESIDING OFFICER WILL HOLD A TELEPHONE CONFERENCE WITH THE PARTIES ON DECEMBER 20, 2001 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 20555-0001

Administrative Judge  
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Administrative Judge  
Charles N. Kelber  
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Docket No. 70-3098-ML  
LB ORDER STATING THAT THE  
PRESIDING OFFICER WILL HOLD  
A TELEPHONE CONFERENCE  
WITH THE PARTIES ON  
DECEMBER 20, 2001

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[Original signed by Adria T. Byrdsong]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 14<sup>th</sup> day of December 2001