

**RAS 4917**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**DOCKETED 10/10/02  
SERVED 10/10/02**

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

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

In the Matter of

U.S. ARMY

(Jefferson Proving Ground Site)

Docket No. 40-8838–MLA

ASLBP No. 00-776-04-MLA

October 10, 2002

MEMORANDUM AND ORDER

According to the most recent quarterly status report submitted in this proceeding by Licensee Department of the Army on October 1, 2002, the NRC Staff is expected to complete this month its administrative/preliminary technical review of the Army's revised decommissioning plan and environmental report. As the status report further recites, those documents had been supplied to the Staff in June 2002 and certain additional information requested by the Staff on September 9 was furnished to it on September 20.

To await further administrative developments, this proceeding has now been held in abeyance by me for almost a year at the behest of the hearing requestor, Save the Valley. For that reason, I wish now to obtain from the Staff either (1) confirmation that its pending review in fact will be completed by October 31, 2002, and the results then made available to those

concerned; or (2) the best current estimate as to when the review will be completed, with an explanation as to the cause for the further delay. A memorandum containing the requested information should be filed and served on the parties on or before Thursday, October 17, 2002.

It is so ORDERED.

BY THE PRESIDING OFFICER\*

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Alan S. Rosenthal  
ADMINISTRATIVE JUDGE

Rockville, Maryland

October 10, 2002

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\*Copies of this memorandum and order were sent this date by Internet electronic mail transmission to the representative of STV, counsel for the Army, and the NRC staff.

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER DATED OCTOBER 10, 2002 have been served upon the following persons by U.S. mail, first class, or through internal NRC distribution.

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Docket No. 40-8838-MLA  
LB MEMORANDUM AND ORDER  
DATED OCTOBER 10, 2002

[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 10<sup>th</sup> day of October 2002