RAS 4974

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 10/31/02
SERVED 10/31/02

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Alan S. Rosenthal, Presiding Officer
Dr. Richard F. Cole, Special Assistant

In the Matter of	Docket No. 70-143-MLA
NUCLEAR FUEL SERVICES, INC.	ASLBP No. 02-803-04-MLA
(Erwin, Tennessee)	October 31, 2002

MEMORANDUM AND ORDER

The revised notice of opportunity for hearing in this special nuclear material license amendment proceeding was published in the Federal Register on October 30, 2002. 67 Fed Reg 66,172. Accordingly, as provided in my September 23, 2002 memorandum and order, on or before Friday, November 29, 2002, each of the current hearing requestors shall file with Judge Cole and me and serve upon counsel for the Licensee, Nuclear Fuel Services Inc., one of the following: (1) a substitute hearing request; (2) a supplement to the hearing request currently on file; or (3) a statement to the effect that the hearing requestor has elected to stand on the now existing hearing request. Upon receipt of either a substitute or a supplemented hearing request, the Licensee will then have ten days within which to file and serve its response thereto.

The parties are reminded that all further submissions in this proceeding are to be served in the first instance by electronic mail or facsimile transmission, service to include not only the opposing party but also NRC staff counsel and the Office of the Commission's

Secretary.[1] Simultaneously, hard copies are to be placed in the U.S. mail. In the event that a filing is accompanied by documents that, because of their volume or for some other reason, are not readily susceptible of transmission by either e-mail or facsimile, those documents shall be filed and served by express mail or an equivalent means of expedited delivery.

IT IS SO ORDERED.

BY THE PRESIDING OFFICER[2]

/RA/

Alan S. Rosenthal
ADMINISTRATIVE JUDGE

Rockville, Maryland

October 31, 2002

[1]The Secretary's e-mail address and facsimile number are, respectively, hearingdocket@nrc.gov and 301-415-1101. Although not being required, the current hearing requestors are encouraged as a matter of courtesy to provide informational copies of their further submissions to the other hearing requestors. Given that the Wallacks are no longer participating in the proceeding independently, the current hearing requestors are: the four organizations (Oak Ridge Environmental Peace Alliance et. al.) now represented by Ms. Curran; the fifteen individuals (Julia Beach et. al.) represented by Mr. Chapman; and the Blue Ridge Environmental Defense League represented by Mr. Zeller.

[2]Copies of this memorandum and order were sent this date by e-mail transmission to the counsel or other representative of each of the participants in the proceeding, as well as to counsel for the NRC staff.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
NUCLEAR FUEL SERVICES, INC.	)	Docket No. 70-143-MLA
ERWIN, TENNESSEE	)	
	)	
(Material License Amendment)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER DATED OCTOBER 31, 2002 have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Washington, DC 20555-0001

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 31st day of October 2002