

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

DOCKETED  
USNRC

January 28, 2003 (11:17AM)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Before Administrative Judges:  
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)	)	January 21, 2003
	)	

**SUPPLEMENTAL MOTION TO RESPONSE TO MOTION TO DEFER  
HEARING PENDING COMPLETION OF TECHNICAL REVIEW AND  
RESPONSE TO REQUEST FOR HEARING AND COMMENTS ON  
REVISED DECOMMISSIONING PLAN BY SAVE THE VALLEY, INC.**

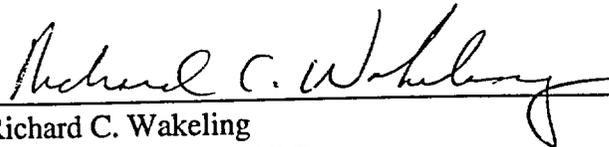
Department of Army (DA) submits this Supplemental Motion to the Response to Motion to Defer Hearing Pending Completion of Technical Review and Response to Request for Hearing and Comments on Revised Decommissioning Plan by Save the Valley, Inc., filed by DA on January 17, 2003.

DA requests that the request for hearing in this matter submitted by Save the Valley, Inc., in its December 16, 2002, Request For Hearing And Comments On Revised Decommissioning Plan By Save the Valley, Inc., be denied for failing to adequately identify areas of concern that are germane to the termination of License SUB-1435, pursuant to DA's Decommissioning Plan For License SUB-1435, June 2002. Support for DA's assertion that Save the Valley, Inc., has failed to adequately identify areas of concern that are germane are set forth in DA's Response To Request For Hearing And Comments On Revised Decommissioning Plan By Save The Valley Inc, previously filed on January 17, 2003 (DA Response, January 17, 2003). DA respectfully requests that the

request for hearing by Save the Valley, Inc., be denied for failure to adequately identify areas of concern that are germane for the reasons identified in DA Response, January 17, 2003.

In the alternative, should the Presiding Officer for this matter determine that specified areas of concern identified by Save The Valley, Inc., are germane to the termination of DA's License SUB-1435, and a hearing is warranted then DA does not oppose a delay in the scheduling of a hearing in this matter until the completion of the NRC Staff Technical Review as requested by Save The Valley, Inc., in its Motion To Defer Hearing Pending Completion Of Technical Review, December 16, 2002.

Dated this Friday, January 21, 2003



Richard C. Wakeling  
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Supplemental Motion To Response To Motion To Defer Hearing Pending Completion Of Technical Review and Response To Request For Hearing and Comments On Revised Decommissioning Plan By Save The Valley, Inc. has been served upon the following persons by U. S. mail:

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Alan S. Rosenthal, Presiding Officer  
Atomic Safety and Licensing Board Panel  
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Richard Hill, President  
Save the Valley, Inc.  
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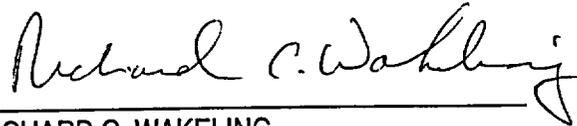
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DATE: 21 January 2003



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