RAS 6600

July 7, 2003

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Thomas S. Moore, Chairman
Charles N. Kelber
Peter S. Lam

DOCKETED
USNRC

July 8, 2003 (2:26PM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of	
DUKE COGEMA STONE & WEBSTER	Docket No. 0-70-03098-ML
(Savannah River Mixed Oxide Fuel Fabrication Facility)	ASLBP No. 01-790-01-ML

GEORGIANS AGAINST NUCLEAR ENERGY'S MOTION TO RESCHEDULE ORAL ARGUMENT ON DUKE COGEMA STONE & WEBSTER'S MOTION FOR SUMMARY DISPOSITION OF GANE CONTENTIONS 1 AND 2

By order dated July 2, 2003, the Atomic Safety and Licensing Board ("ASLB") scheduled an oral argument for July 23, 2003, regarding Duke Cogema Stone & Webster's Motion for Summary Disposition of Contentions 1 and 2. Georgians Against Nuclear Energy ("GANE") hereby requests the ASLB to reschedule the oral argument for sometime in September of 2003. GANE requests the change in schedule because its expert witness for Contentions 1 and 2, Dr. Edwin S. Lyman, will be out of the country at that time. He leaves for Russia on July 21, 2003, and does not return until August 2. In addition, GANE's counsel has longstanding plans for a family reunion and vacation during the week of July 21.

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SECY-02

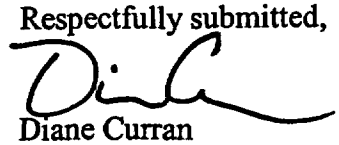
GANE believes it is important for Dr. Lyman to be present at the oral argument, because both DCS's motion and GANE's opposition rely to some extent on factual assertions regarding technical aspects of material control and accounting ("MC&A") and physical security. The parties' reliance on factual information is especially strong with respect to Contention 1, MC&A. GANE believes that it would be at a substantial disadvantage without assistance from Dr. Lyman in presenting its arguments. GANE's counsel is not a technical expert in these matters, and wishes to have Dr. Lyman's assistance in listening to and responding to arguments made by DCS and the Staff. In addition, by having Dr. Lyman present at the argument, GANE will better ensure that any factual statements or interpretations of factual statements made by GANE's counsel are accurate.

GANE has attempted to find an alternative date during the summer when all parties can be present at the oral argument, but there is no date in July or August when all parties are available. Therefore, GANE requests that the argument be scheduled for sometime in September.

In the alternative, if the ASLB rejects GANE's request to postpone the oral argument until September, then GANE requests that it postpone the oral argument by two days, until July 25. This will allow GANE's counsel to attend most of her family reunion/vacation.

Counsel for GANE has consulted counsel for DCS and the Staff regarding this motion. Neither DCS nor the Staff would agree to postpone the oral argument until September, but they would not oppose rescheduling it until July 25.

Respectfully submitted,



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July 7, 2003

CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2003, copies of the foregoing GEORGIANS AGAINST NUCLEAR ENERGY'S MOTION TO RESCHEDULE ORAL ARGUMENT ON DUKE COGEMA STONE & WEBSTER'S MOTION FOR SUMMARY DISPOSITION OF CONTENTIONS 1 AND 2 were served on the following by e-mail and/or first-class mail:

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