

July 3, 2003

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

July 14, 2003 (10:52AM)

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

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of)

DUKE COGEMA STONE & WEBSTER)

(Savannah River Mixed Oxide Fuel)
Fabrication Facility))

Docket No. 0-70-03098-ML

ASLBP No. 01-790-01-ML

**GEORGIANS AGAINST NUCLEAR ENERGY'S ERRATUM TO
BRIEF IN SUPPORT OF MOTION FOR PROTECTIVE ORDER AND
REQUEST TO QUASH DEPOSITION OF DR. LELAND TIMOTHY LONG**

Georgians Against Nuclear Energy ("GANE") submits the following erratum to its Brief in Support of Motion for Protective Order and Request to Quash Deposition of Dr. Leland Timothy Long (June 30, 2003). In Section III.B, at page 12, on the 5th line, the brief states: "Therefore, GANE has elected not to take the depositions of DCS's witnesses." Following that sentence, please insert the following statement: "While GANE may reconsider that decision if its financial circumstances should change significantly before the close of discovery, such a change in circumstances is unlikely."

This erratum responds to a concern expressed verbally by counsel for Duke Cogema Stone & Webster that GANE's brief may have given the erroneous impression that GANE's decision against deposing DCS's witnesses was not subject to change under

any circumstances whatsoever. With this erratum, GANE seeks to correct any such misimpression.

GANE's decision not to take depositions of DCS's witnesses was based on GANE's judgment regarding the overall cost-effectiveness of deposing DCS's witnesses, and a reasonable assessment of GANE's current and likely future financial circumstances. It seems unlikely that GANE's financial circumstances will change significantly before the close of discovery. In the unexpected event that GANE's financial circumstances do change significantly, GANE wishes to clarify that it may re-evaluate its decision not to depose DCS's witnesses. GANE does not believe, however, that this clarification changes the fundamental point of its argument in Section III.B, that under current and reasonably foreseeable future circumstances, it would be unfair to make GANE pay for the deposition of Dr. Long.

Respectfully submitted,



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July 3, 2003

CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2003, copies of the foregoing GEORGIANS AGAINST NUCLEAR ENERGY'S ERRATUM TO BRIEF IN SUPPORT OF MOTION FOR PROTECTIVE ORDER AND REQUEST TO QUASH DEPOSITION OF DR. TIMOTHY LELAND LONG were served on the following by e-mail and/or first-class mail:

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