

**RAS 6631**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**DOCKETED 07/16/03**

**SERVED 07/16/03**

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judge:

G. Paul Bollwerk, III, Presiding Officer

In the Matter of

FANSTEEL INC.

(Muskogee, Oklahoma Facility)

Docket No. 40-7580-MLA-2

ASLBP No. 03-813-04-MLA

July 16, 2003

MEMORANDUM

(Acknowledging NRC Staff Response)

Following issuance today of an order denying the July 15, 2003 request of Fansteel Inc. (Fansteel) to hold this proceeding in abeyance, the Presiding Officer received a pleading from the NRC staff supporting that request. With this memorandum, the Presiding Officer acknowledges that staff response, but concludes the order entered today should stand as issued.

BY THE PRESIDING OFFICER<sup>\*</sup>

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G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland

July 16, 2003

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<sup>\*</sup> Copies of this order were sent this date by Internet e-mail transmission to counsel or a representative of (1) Fansteel; (2) the State of Oklahoma; and (3) the staff.

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In the Matter of )  
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM (ACKNOWLEDGING NRC STAFF RESPONSE) have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Office of Commission Appellate  
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U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
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Atomic Safety and Licensing Board Panel  
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[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 16<sup>th</sup> day of July 2003