

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	Docket No. 070-03098
DUKE COGEMA STONE & WEBSTER)	
)	
Mixed Oxide (MOX) Fuel Fabrication Facility)	
(Construction Authorization Request))	

NRC STAFF'S RESPONSE TO
GANE'S MOTION FOR LEAVE TO FILE REPLY

During oral argument before the Board on August 5, 2003 (pertaining to the May 9 motion for summary disposition on admitted contentions 1 and 2), the Board requested the NRC Staff to state its reasons -- by close of business on August 5, 2003 -- for opposing the request made by Georgians Against Nuclear Energy (GANE) to file a reply to the "NRC Staff's Response To DCS Motion For Summary Disposition On MOX Waste Contention" dated July 29, 2003. The NRC Staff hereby withdraws its earlier oral objection. Replies of the type GANE seeks to file are specifically authorized by 10 C.F.R. § 2.749(a).

Respectfully submitted,

/RA/

John T. Hull
Counsel for NRC Staff

Dated at Rockville, Maryland
this 5th day of August, 2003

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S RESPONSE TO GANE's MOTION FOR LEAVE TO FILE REPLY" have been served upon the following persons, by electronic mail, and by U.S. mail, first class, or as indicated by an asterisk (*) through the Nuclear Regulatory Commission's internal distribution system, this 5th day of August, 2003.

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