

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

RAS 6750

08/27/03 ATOMIC SAFETY AND LICENSING BOARD

DOCKETED

SERVED

08/27/03

Before Administrative Judges:

Thomas S. Moore, Chairman
Dr. Charles N. Kelber
Dr. Peter S. Lam

In the Matter of

DUKE COGEMA STONE & WEBSTER
(Savannah River Mixed Oxide Fuel
Fabrication Facility)

Docket No. 070-03098-ML

ASLBP No. 01-790-01-ML

August 27, 2003

ORDER

On August 26, 2003, Georgians Against Nuclear Energy (GANE) filed a motion for an extension of time to respond to Duke Cogema Stone & Webster's (DCS) motion for summary disposition of GANE's contention 3. GANE seeks an extension of time until twenty days after the Board rules on DCS's pending summary disposition motion of consolidated contention 11 in which GANE argues that a motion for summary disposition is not permitted in this Subpart L proceeding. GANE's motion for an extension of time is denied. The denial of GANE's motion is without prejudice to GANE filing, if appropriate, an unconditional extension motion. Although it has not yet issued a decision on DCS's motion for summary disposition of consolidated

contention 11, the Board notes that it is not favorably impressed by GANE's argument that summary disposition motions are not permitted in this proceeding.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD¹

/RA/

Thomas S. Moore, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
August 27, 2003

¹Copies of this Order were sent this date by Internet e-mail transmission to (1) GANE; (2) DCS; and (3) the NRC Staff.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
DUKE COGEMA STONE & WEBSTER) Docket No. 70-3098-ML
)
(Savannah River Mixed Oxide Fuel)
Fabrication Facility))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER DATED AUGUST 27, 2003 have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Docket No. 70-3098-ML
LB ORDER DATED AUGUST 27, 2003

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 27th day of August 2003