

DOCKETED  
USNRC

November 18, 2003 (3:23PM)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

**DOCKET NO. 40-8838-MLA**

**RAS 7061**

**From:** Sharon Perini  
**To:** HearingDocket  
**Date:** Tue, Nov 18, 2003 1:46 PM  
**Subject:** Fwd: U.S. Army (Correction to Original E-mail)

**From:** Sharon Perini  
**To:** Jerome Polk; Michael Mullett; Richard Wakeling; Stephen Lewis  
**Date:** Mon, Nov 17, 2003 1:15 PM  
**Subject:** U.S. Army (Correction to Original E-mail)

**CORRECTION: Please note that this e-mail is being resent to correct an error. The time for a telephone conference should read 10:00 a.m. (EST) instead of (EDT).**

Judge Rosenthal wishes counsel for Save the Valley to advise him by electronic mail (copies to counsel for the Department of the Army and the NRC Staff) whether his client's position on the mootness issue has changed in light of the content of the Army's November 13, 2003 filing. A yes or no response without extended elaboration will suffice and would be appreciated by no later than this Thursday, November 20, and preferably earlier.

In addition, Judge Rosenthal has tentatively decided that, if it turns out that Save the Valley still opposes a dismissal of the present proceeding at this juncture, a telephone conference with all counsel should be held at 10:00 a.m. **(EST)** on Wednesday, December 3, 2003 to discuss further the mootness matter. Unless he is otherwise informed by Monday, November 24, he will assume that no counsel has an iron-clad conflict that would preclude participation in such a conference at that time. Obviously, notification of a conflict will not be necessary if there is no longer any opposition to a dismissal .

Sharon Marks Perini  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
301-415-7393

**Mail Envelope Properties**

(3FBA68EA.9AD : 21 : 49315)

**Subject:** Fwd: U.S. Army (Correction to Original E-mail)  
**Creation Date:** Tue, Nov 18, 2003 1:46 PM  
**From:** Sharon Perini  
**Created By:** SAM4@nrc.gov

**Recipients**

owf5\_po.OWFN\_DO  
HearingDocket (HearingDocket)

**Post Office**

owf5\_po.OWFN\_DO

**Route****Files**

Mail

**Size****Date & Time****Options**

**Expiration Date:** None  
**Priority:** Standard  
**Reply Requested:** No  
**Return Notification:** None

**Concealed Subject:** No  
**Security:** Standard