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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

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

November 26, 2003

ORDER

The unopposed motion of Georgians Against Nuclear Energy (GANE) and the Blue Ridge Environmental Defense League (BREDL) for leave to withdraw consolidated contention 5, (Incorrect Designation of Controlled Area) is granted.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>1</sup>

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Thomas S. Moore  
ADMINISTRATIVE JUDGE

Rockville, Maryland

November 26, 2003

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<sup>1</sup>Copies of this Order were sent this date by Internet e-mail transmission to (1) GANE; (2) BREDL; (3) DCS; and (4) 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 NOVEMBER 26, 2003 have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Washington, DC 20555-0001

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Administrative Judge  
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Docket No. 70-3098-ML  
LB ORDER DATED NOVEMBER 26, 2003

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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 26<sup>th</sup> day of November 2003