

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

December 9, 2003 (1:25PM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Before Administrative Judges:

Alan S. Rosenthal, Presiding Officer
Anthony J. Baratta, Special Assistant

In the Matter of

SEQUOYAH FUELS CORPORATION,

(Gore, Oklahoma Site)

Docket No. 40-8027-MLA-6

December 3, 2003

JOINT STATUS REPORT ON SETTLEMENT NEGOTIATIONS

Pursuant to a request conveyed by Ms. Sharon Perini of the Atomic Safety and Licensing Board Panel on November 21, 2003, counsel for Sequoyah Fuels Corporation ("SFC") and the State of Oklahoma ("Oklahoma") hereby submit a status report on settlement negotiations between Oklahoma and SFC on the Reclamation Plan ("RP") for the Gore, Oklahoma site. Ms. Perini requested that this status report be submitted to the Presiding Officer and the Special Assistant by December 3, 2003.

As indicated in the NRC Staff's quarterly reports to Judge Bechhoefer, Oklahoma and SFC have been conducting settlement negotiations that are considering various issues, including concerns identified by Oklahoma regarding the RP that is the subject of the MLA-6 proceeding. As part of those negotiations, the parties met in March 2003, after the RP was prepared, to discuss Oklahoma's technical concerns about the RP and explore the potential for settlement. A large number of issues and concerns were

identified that could not be resolved at that meeting, and the parties agreed to continue to exchange information and to seek settlement.

Since that meeting, counsel for Oklahoma and SFC have had several settlement discussions, and information submitted to the NRC by SFC since March 2003 has resolved some of Oklahoma's concerns. While there has been progress, there is not yet a clear path to settlement. Oklahoma and SFC are committed to continuing settlement discussions, but are uncertain whether a settlement can be achieved.

Respectfully submitted,

(by permission)
Alvin H. Gutterman for

Kelly Hunter Burch, OBA No. 17067
Assistant Attorney General
ATTORNEY FOR DEPARTMENT OF
ENVIRONMENTAL QUALITY
4545 N. Lincoln Boulevard, Ste. 260
Oklahoma City, Oklahoma 73015
Telephone: (405) 521-4274
Facsimile: (405) 528-1867

Alvin H. Gutterman

Alvin H. Gutterman
Paul M. Bessette
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, DC 20004
(202) 739-5468, (202) 739-3001 (fax)
agutterman@morganlewis.com,
pbessette@morganlewis.com

COUNSEL FOR SEQUOYAH FUELS
CORPORATION

**UNITED STATES OF AMERICA
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Joint Status Report on Settlement Negotiations were served upon the persons listed below by e-mail (as indicated) and U.S. mail, first class, postage prepaid, on this 3rd day of December 2003.

Giovanna M. Longo, Esq.
Angela B. Coggins, Esq.
Marian L. Zobler, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(E-mail: gml@nrc.gov, abc1@nrc.gov,
mlz@nrc.gov)

Secretary of the Commission*
Attn: Rulemakings and Adjudication Staff
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(E-mail: hearingdocket@nrc.gov)

Kelly Hunter Burch, Esq.
Assistant Attorney General
Office of the Attorney General for the
State of Oklahoma
Department of Environmental Quality
4545 N. Lincoln Blvd., Suite 260
Oklahoma City, OK 73105-3498
(E-mail: kelly_burch@oag.state.ok.us)

Jeannine Hale
Assistant General Counsel
Cherokee Nation
P.O. Box 948
Tahlequah, OK 74464
(E-mail: jhale@cherokee.org)

Sharon M. Perini, Administrative Asst.
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, DC 20555-0001
(E-mail: sam4@nrc.gov)

Anthony J. Baratta
Administrative Judge, Special Assistant
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(E-mail: ajb@nrc.gov)

Alan S. Rosenthal
Administrative Judge, Presiding Officer
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(E-mail: rsnthl@comcast.net)


Paul M. Bessette

Ed Henshaw
Route 1, Box 76,
Vian, OK 74962

* Original and two copies