

**RAS 7143**

UNITED STATES OF AMERICA

**DOCKETED 12/16/03**

NUCLEAR REGULATORY COMMISSION

**SERVED 12/16/03**

UNITED STATES ARMY  
JEFFERSON PROVING GROUND SITE

Docket No. 40-8838-MLA-2

ASLBP No. 04-819-04-MLA

DESIGNATION OF PRESIDING OFFICER

Pursuant to delegation by the Commission, see 37 Fed. Reg. 28,710 (Dec. 29, 1972), and the Commission's regulations, see 10 C.F.R. §§ 2.1201, 2.1207, notice is hereby given that (1) a single member of the Atomic Safety and Licensing Board Panel is designated as Presiding Officer to rule on petitions for leave to intervene and/or requests for hearing; and (2) upon making the requisite findings in accordance with 10 C.F.R. § 2.1205(h), the Presiding Officer will conduct an adjudicatory hearing in the following proceeding:

UNITED STATES ARMY  
Jefferson Proving Ground Site  
Madison, Indiana  
(Materials License Amendment)

The hearing will be conducted pursuant to 10 C.F.R. Part 2, Subpart L, of the Commission's Regulations, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings." This proceeding concerns a request for hearing submitted on November 26, 2003, by Save The Valley, Inc. The request was filed in response to an October 21, 2003 notice of consideration and opportunity for a hearing regarding a September 22, 2003 request from the United States Army to amend its 10 C.F.R. Part 40 source material license, which was published in the Federal Register on October 28, 2003 (68 Fed. Reg. 61,471). The requested license amendment would create a five-year renewable possession-only license for the Army's Jefferson Proving Ground site.

The Presiding Officer in this proceeding is Administrative Judge Alan S. Rosenthal. All correspondence, documents, and other materials shall be filed with Judge Rosenthal in accordance with 10 C.F.R. § 2.1203. His address is:

Alan S. Rosenthal  
Administrative Judge  
Presiding Officer  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

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G. Paul Bollwerk, III  
Chief Administrative Judge  
Atomic Safety and Licensing Board Panel

Issued at Rockville, Maryland,  
this 16th day of December 2003.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
)  
U.S. ARMY ) Docket No. 40-8838-MLA-2  
Jefferson Proving Ground Site )  
Madison, Indiana )  
)  
(Materials License Agreement) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing DESIGNATION OF PRESIDING OFFICER have been served upon the following persons by U.S. mail, first class, or through internal NRC distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Alan S. Rosenthal, Presiding Officer  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
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Richard Hill, President  
Save The Valley, Inc.  
P.O. Box 813  
Madison, IN 47250

[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 16<sup>th</sup> day of December 2003