

January 2, 2004

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

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In the Matter of)	
)	Docket No. 70-143
NUCLEAR FUEL SERVICES, INC.)	Special Nuclear Material
)	License No. SNM-124
(Blended Low Enriched Uranium Project))	

KATHY HELMS-HUGHES' MOTION FOR EXTENSION OF TIME

Kathy Helms-Hughes files this motion respectfully requesting an extension of time of 60 days, until Tuesday, March 23, 2004, for the public to file responses to applicant Nuclear Fuel Services Inc.'s (NFS)'s third segment of a license amendment request for the Blended Low-Enriched Uranium Complex, specifically the Oxide Conversion Building and Effluent Processing Building.

Helms-Hughes filed a motion for an Extension of Time on Dec. 31, 2003, with Presiding Judge Alan S. Rosenthal. However, Helms-Hughes was informed on Jan. 2, 2004, by Judge Rosenthal that he does not have jurisdiction to consider the request because no assignment to a presiding officer has been made in connection with NFS's third license amendment application.

Because there is a question as to who has the authority to grant the request, knowing that Judge Rosenthal does not, his suggestion was to jointly file the request with the Commission and the NRC Staff, one of which would have the authority to grant my request. Therefore, this is a refiling of the original request filed Dec. 31, 2003, requesting a 60-day Extension of Time.

Helms-Hughes filed on Nov. 29, 2002, a declaration, request for intervention and a hearing in the NFS case. Daryl Shapiro, attorney for NFS, in response, filed a motion for time extension on Dec. 4, 2002, citing as justifiable rationale that he received requests for a hearing by Friends of the Nolichucky River Valley, State of Franklin Group of the Sierra Club, the Oak Ridge Environmental Peace Alliance, and the Tennessee Environmental Council, on Nov. 27, 2002, another request by Blue Ridge Environmental Defense League on Nov. 29, 2002, and a request by Helms-Hughes, also on Nov. 29, 2002, in response to an Oct. 30, 2002, Federal Register notice regarding the NFS project.

NFS requested an extension of four days (two days regarding the Helms-Hughes request) because the requests were filed just before and during the Thanksgiving holiday weekend. Shapiro's request for a time extension was granted by the NRC.

Helms-Hughes now requests a time extension based on the same premise. Though currently working in Arizona, Helms-Hughes' ancestral home and land -- which she now owns and where she has lived for the last five years -- are located in Butler, Tennessee, less than 20 miles downwind of the NFS facility. Therefore, Helms-Hughes is affected by the outcome of this decision.

The Nuclear Regulatory Commission received by letter dated Oct. 23, 2003, a request from NFS to amend its Special Nuclear Materials License SNM-124 to authorize processing operations in the Oxide Conversion Building and the Effluent Processing Building at the Blended Low-Enriched Uranium Complex. The request is the third of three license amendment requests planned to support operations associated with downblending and conversion of high-enriched

uranium materials to low-enriched uranium oxides.

Though the third license amendment request was received Oct. 23, 2003, it was not posted in the Federal Register for public review until Christmas Eve, Dec. 24, 2003. Common sense and mass merchandising will tell you that the Christmas and New Year's holidays are quite possibly the most celebrated holidays by the American public during the calendar year. To submit such a document for such a potentially dangerous process at a time of the year when the majority of public attention is focused on family and freedom of worship, when many are traveling great distances to share in the holidays with their families rather than sitting in front of the computer checking Federal Register notices, is an action calculated to put the public and this public process at a disadvantage.

In fairness to the general public, which NRC maintains *does* have a voice in these proceedings, it would be appropriate to grant a time extension so that those affected by the outcome of these proceedings will have sufficient time to review the documentation filed by NFS.

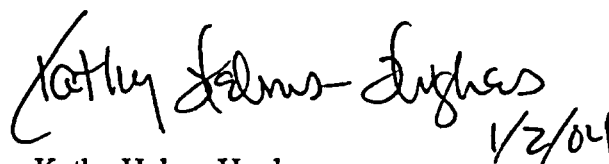
As part of NFS's license amendment request, the Applicant also filed several supporting documents, including a Non-Proprietary Version of the Integrated Safety Analysis Summary (367 pages) on Nov. 14, 2003, and New Information Potentially Relevant and Material to Licensing Board Proceeding in the Matter Of Nuclear Fuel Services, Inc., on Nov. 24, 2003 (approximately 30 pages). The relevance of these documents also must be considered to present a full, comprehensive picture of this blend-down project, parts of which NFS admits in its severely lacking Environmental Assessment will rely on processes heretofore untried by the Applicant.

Because of the continued segmentation of this license amendment request by NFS in an apparent attempt to avoid producing an Environmental Impact Statement, which would delay the project beyond its targeted start-up time, it is vitally important that the segmentation of this project be dealt with in a manner that puts the requester at a disadvantage, rather than the public.

A time extension might result in a loss of profit for NFS and its contractor, Framatome

ANP, as well as Tennessee Valley Authority — the ultimate recipient of fuel from this reprocessing — and for the U.S. Department of Energy, which is being pushed by the Bush Administration and Congress to get rid of this bomb material. However, the NRC should not consider loss of monetary profit by these companies and agencies as reason to continue with the Jan. 23, 2004, deadline for public comment. Instead, in fairness and consideration of the holiday filing, Helms-Hughes respectfully requests that the NRC grant a 60-day time extension so that the public may participate in this public comment process.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kathy Helms-Hughes". To the right of the signature, the date "1/2/04" is handwritten.

Kathy Helms-Hughes

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Dated Jan. 2, 2004

CERTIFICATE OF SERVICE

I certify that on Jan. 2, 2004, copies of "Kathy Helms-Hughes' Motion for Extension of Time" were served on the persons listed below by e-mail transmission or facsimile, with paper copies to follow in U.S. Mail.

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