

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

December 8, 2003 (3:30PM)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Before Administrative Judges:  
, Presiding Officer  
, Special Assistant

In the Matter of  
  
U.S. ARMY  
  
(Jefferson Proving Ground Site)

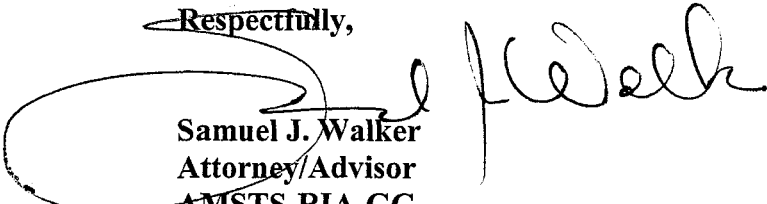
Docket No. 40-8838-MLA  
  
ASLBP No. 00-776-04-MLA....  
  
December 8, 2003

**RESPONSE TO MOTION TO SCHEDULE HEARING  
FOLLOWING COMPLETION OF TECHNICAL REVIEW**

Should the Presiding Officer for this matter grant the Request For Hearing By Save the Valley, Inc., dated November 26, 2003, Department of Army (DA) does not oppose Save the Valley, Inc.'s (STV) concurrent motion to schedule the hearing after the Nuclear Regulatory Commission (NRC) staff has completed its technical review of DA's request for a license amendment to Source Materials License SUB-1435 that would create a 5-year renewable possession-only license for the Jefferson Proving Ground Site in Madison, Indiana accepted on October 21, 2003.

Dated this *Dec 8, 2003*

~~Respectfully,~~



Samuel J. Walker  
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, Presiding Officer  
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**CERTIFICATE OF SERVICE**

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**In the Matter of**

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**Docket No. 40-8838-MLA**

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**December 8, 2003**

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**I hereby certify that copies of the foregoing Response To Motion To Schedule Hearing**

**Following Completion Of Technical Review has been served upon the following persons by U. S. mail:**

**Office of the Secretary  
Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Mail Stop: O-16-G-15  
Washington, DC 20555**

**Adjudicatory File  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3-F23  
Washington, DC 20555**

**Administrative Judge  
Thomas D. Murphy, Special Assistant  
Atomic Safety and Licensing Board  
Panel**

**Administrative Judge  
Alan S. Rosenthal, Presiding Officer  
Atomic Safety and Licensing Board  
Panel  
Mail Stop: T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001**

**Office of the Secretary  
Attn: Rulemaking & Adjudications  
Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop: O-16-G-15  
Washington, DC 20555**

**Richard Hill, President  
Save the Valley, Inc**

**Mail Stop-T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001**

**P.O. Box 813  
Madison, IN 47250**

**Dennis C. Dambly, Esq  
Office of the General Counsel  
Mail Stop – O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001**

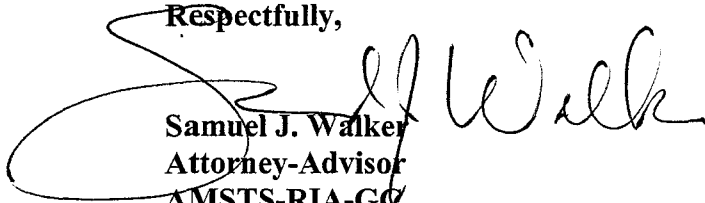
**Tom McLaughlin, Decommissioning  
Branch  
Division of Waste Management  
Office of Nuclear Materials &  
Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001**

**Stephen H. Lewis  
David A. Cummings  
Office of the General Counsel  
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Michael A. Mullett, Esq.  
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Indianapolis, IN 46204-2721**

**DATE: 8 December 2003**

**Respectfully,**



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