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USNRC

February 4, 2004 (10:20AM)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

**Docket Nos. 50-413/414-OLA**

**RAS 7298**

**From:** Ann Young  
**To:** Anne W. Cottingham; Anthony Baratta; Antonio Fernandez; David A. Repka; Diane Curran; Helen Byrd; Janet and Lou Zeller; Kathleen Kannler; Lisa F. Vaughn; Mary Olson; Office of HearingDocket; Susan Uttal; Thomas S. Elleman  
**Date:** Tue, Feb 3, 2004 5:49 PM  
**Subject:** Re: Filing in Catawba-LTA case

This is to notify the parties of several things regarding BREDL's motion:

First, I will not be in the office on either 2/5 or 2/6, so this issue needs to be addressed tomorrow, Wednesday 2/4.

Second, Judge Baratta and I will hold a telephone conference tomorrow morning, Wednesday 2/4, at 10:00 a.m., to discuss the motion. Information on how to join the conference will be provided tomorrow morning before 10:00 a.m., by email.

I am cc'ing James Cavanaugh, Karen Valloch and Jack Whetstine in my office so that we can request that a conference call and a court reporter be scheduled for the 10:00 a.m. conference.

Third, Judge Baratta and I are considering whether an appropriate way to address the questions presented in the motion would be to have the Staff arrange for a court reporter who has clearance at the appropriate level to transcribe the 2/6 meeting, so that, should a decision be made in the future to allow BREDL access to this information, the transcript could be available at that time. Given that issues relating to BREDL's access to certain safeguards information are currently before the Commission, and our Memorandum and Order of January 29 has been stayed by the Commission pending its decision, this seems to us, at this time, to be the most appropriate manner in which to address the motion. Of course, any participant may argue that another way to approach the matter would be more appropriate, and we will consider the argument, but we encourage the participants to consider seriously this suggested course of action.

In any event, we will expect all participants to be prepared to address this suggestion at our 10:00 a.m. conference. If the parties should agree on this or a similar course of action prior to 10:00 a.m., you may inform us of this, along with the withdrawal of the motion or a similar resolution, before 10:00. Such a resolution could well obviate the need for a conference call.

Thank you all for your attention to these matters.

Administrative Judge Ann Marshall Young  
Chair, Atomic Safety and Licensing Board

>>> Diane Curran <dcurran@harmoncurran.com> 02/03/04 05:11PM >>>

Dear Judge Young,

Enclosed for filing please find an emergency motion by BREDL for access to an NRC Staff meeting on February 6.

Diane Curran

**CC:** Jack Whetstine; James Cavanaugh; Karen Valloch

### Mail Envelope Properties

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**Subject:** Re: Filing in Catawba-LTA case  
**Creation Date:** Tue, Feb 3, 2004 5:49 PM  
**From:** Ann Young

**Created By:** AMY@nrc.gov

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**Security:** Standard