

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD
ASLBP No. 03-812-03-MLA

In the Matter of)
)
SEQUOYAH FUELS CORPORATION,)
Gore, Oklahoma)
(Materials License Amendment))
_____)

Docket No. 40-8027-MLA-6

**JOINT MOTION OF CHEROKEE NATION, STATE OF OKLAHOMA AND
NRC STAFF FOR AN EXTENSION OF THE TIME TO FILE WRITTEN
PRESENTATIONS**

Pursuant to 10 CFR §§ 2.711 and 2.730, the State of Oklahoma ("Oklahoma"), the Cherokee Nation and the NRC Staff (collectively referred to as the "Parties") respectfully request an extension of the time to file their written presentations in the above captioned proceeding. The deadlines for filing written presentations were established by agreement of the parties and were adopted by the Presiding Officer on February 5, 2004. The Parties request that an additional two weeks be added to each of the filing deadlines. This would make the written presentations of Oklahoma and Cherokee Nation due on May 14, 2004. The written presentations of SFC and the NRC would be due on June 11, 2004. The rebuttal written presentations of the Oklahoma and the Cherokee Nation would be due on June 25, 2004.


Oklahoma and the Cherokee Nation are engaged in settlement negotiations with

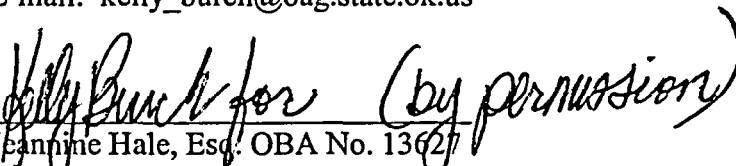
Sequoyah Fuels Corporation ("SFC") in an attempt to resolve the issues related to the reclamation of SFC's Gore, Oklahoma site. SFC has requested that the Cherokee Nation and Oklahoma prepare a proposal for settlement, and a meeting to review it is currently scheduled for April 19, 2004. Oklahoma and the Cherokee Nation are hopeful that the proposal will resolve, or at least limit, the issues that are currently pending in this proceeding. Such a result would avoid substantial expenditure of the resources of the Parties, as well as reduce burdens on the NRC Staff.

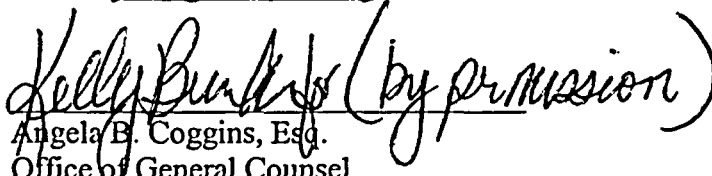
The addition of two weeks to the deadlines for written presentations will allow counsel for Oklahoma and the Cherokee Nation to finalize the settlement offer and conduct negotiations without limiting the time available for preparing of their written presentations. The addition of two weeks to the schedule for written presentations will not cause undue delay in this proceeding and will assist the parties in attempting to reach an agreeable resolution.

Based on the above, the Parties believe that extending the due date for written presentations for two weeks is in the best interests of the Parties and the Licensee. Counsel has consulted with SFC and the company does not oppose the extension. The revised deadlines will provide SFC, Oklahoma and the Cherokee Nation with an additional opportunity to attempt to negotiate a satisfactory settlement. The revised deadlines will further provide counsel for Oklahoma and Cherokee Nation with adequate time to prepare the settlement offer, as well as the written presentation if the Parties do not reach agreement.

Respectfully submitted,


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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 14th day of April, 2004, a true and correct copy of the foregoing, Joint Motion of the Cherokee Nation, State of Oklahoma and NRC Staff, was sent by U.S. Mail, first class postage prepaid and by electronic mail where indicated with a single asterisk.

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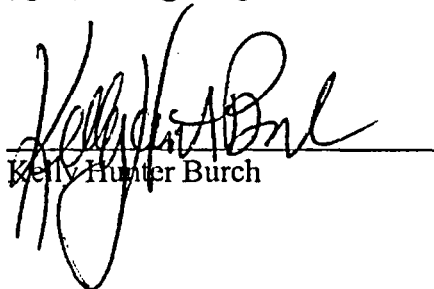
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STATE OF OKLAHOMA

April 14, 2004

VIA Electronic and
Postage Prepaid U.S. Mail

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U.S. Nuclear Regulatory Commission
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Washington, DC 20555-0001
Attention: Rulemakings and Adjudications Staff

Re: **In the Matter of Sequoyah Fuels Corporation, Joint Motion of the Cherokee Nation, State of Oklahoma and NRC Staff, U.S. Nuclear Regulatory Commission, Docket No. 40-8027-MLA-6**

Sir or Madam:

An original and three conformed copies of the Joint Motion of the Cherokee Nation, State of Oklahoma and NRC Staff, is being sent via U.S. mail, first class, postage prepaid for filing with the Office of the Secretary.

Upon receipt, please return the remaining file-stamped copy of the enclosed to this office in the self-addressed, stamped envelope enclosed for that purpose.

Thank you in advance for your assistance in this matter. Should you have any questions, please do not hesitate to call me at (405) 522-4417.

Sincerely,

KELLY HUNTER BURCH
ASSISTANT ATTORNEY GENERAL

KHB/jb
Enclosures