

March 3, 2004

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of)
) Docket No. 40-8027
SEQUOYAH FUELS CORPORATION)
)
(Gore, Oklahoma Site))

NRC STAFF RESPONSE TO
REQUEST FOR HEARING FILED BY THE STATE OF OKLAHOMA

On January 7, 2004, Sequoyah Fuels Corporation (“SFC”) submitted an application requesting an amendment to Materials License SUB-1010 to authorize dewatering of raffinate sludge at the SFC site in Gore, Oklahoma. On February 6, 2004, the State of Oklahoma filed a request for hearing on this license amendment application. However, a Notice of receipt of this license amendment request and opportunity to request a hearing has not yet been published, but is in the process of being forwarded to the Federal Register for publication. Thus, the NRC Staff submits that the State of Oklahoma’s hearing request is premature. Following publication of the Notice of receipt of the license amendment application and opportunity for a hearing, Oklahoma should resubmit its request pursuant to the requirements of 10 C.F.R. § 2.309.¹

Respectfully submitted,

/RA/

Angela B. Coggins
Counsel for NRC Staff

Dated at Rockville, Maryland
this 3rd day of March, 2004

¹ This reference to 10 CFR Part 2 refers to the amended section of the NRC Rules of Practice. See “Changes to Adjudicatory Process,” 69 Fed. Reg. 2182 (January 14, 2004).

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NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney herewith enters an appearance in the above-captioned matter. In accordance with 10 C.F.R. § 2.314(b), the following information is provided:

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Respectfully submitted,

/RA/

Angela B. Coggins
Counsel for NRC Staff

Dated at Rockville, Maryland
this 3rd day of March, 2004

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of)
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SEQUOYAH FUELS CORPORATION) Docket No. 40-8027-MLA
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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO REQUEST FOR HEARING FILED BY THE STATE OF OKLAHOMA" and "NOTICE OF APPEARANCE" in the above-captioned proceeding have been served on the following by deposit into the United States mail or through deposit in the Nuclear Regulatory Commission's internal mail system as indicated with a single asterisk, and/or by electronic mail where indicated with a double asterisk on this 3rd day of March, 2004.

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