

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

June 15, 2004 (10:08AM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

BEFORE THE PRESIDING OFFICER

In the Matter of

Docket No. 40-8027-MLA-6

SEQUOYAH FUELS CORPORATION,
Gore, Oklahoma
(Materials License Amendment)

ASLBP No. 03-812-03-MLA

June 8, 2004

UNOPPOSED MOTION FOR EXTENSION OF THE TIME TO FILE WRITTEN
PRESENTATIONS

The State of Oklahoma ("Oklahoma"), the Cherokee Nation and Sequoyah Fuels Corporation ("SFC") respectfully request an extension of the times to file written presentations in the above captioned proceeding. The current deadlines for filing written presentations were established by the Presiding Officer in an order dated May 21, 2004. The Parties request that the filing deadlines be further extended September 15, with the written presentations of Oklahoma and the Cherokee Nation to be due on September 15, 2004. The written presentations of SFC and the NRC would be due on October 15, 2004. The rebuttal written presentations of Oklahoma and the Cherokee Nation would be due on November 1, 2004. The parties further request, however, that there be an opportunity

to shorten this schedule if the parties conclude that their settlement negotiations are not achieving their objectives.

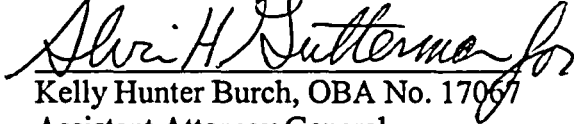
Oklahoma, the Cherokee Nation and SFC are engaged in settlement negotiations in an attempt to resolve areas of dispute with regard to the reclamation of SFC's Gore, Oklahoma site. The negotiations have progressed to the point of identifying the matters for resolution and a process for negotiation regarding these matters. Many issues remain to be resolved, including issues that can be resolved only by completion of analyses that, in one instance, will not be completed until the end of August. The issues remaining to be resolved also include some fundamental questions about the relationships among the parties.

The parties recognize, however, that there are certain issues that will be difficult to resolve, and discussions planned for the next few weeks may lead them to conclude that the settlement process will not achieve its objectives. Accordingly, the parties request that if one of them concludes that the settlement process will not achieve its objectives, that party will submit a motion by July 7, 2004 requesting that the schedule be accelerated. The parties request that, in the event of such a motion, the schedule be accelerated so that the presentations of Oklahoma and the Cherokee Nation would be due on July 28, 2004, the presentations of SFC and the NRC Staff would be due on August 27, 2004, and the replies of Oklahoma and the Cherokee Nation would be due on September 10, 2004. The requested extension for the filing of written presentations is justified because it will provide an opportunity for the parties to attempt to resolve the remaining areas of dispute. If experience shows that the settlement process will not

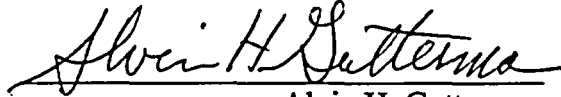
achieve its objectives, then the opportunity to request acceleration of the schedule would minimize unnecessary delay in completion of this proceeding.

Counsel for the NRC Staff has authorized SFC to state that the NRC Staff does not oppose this motion.

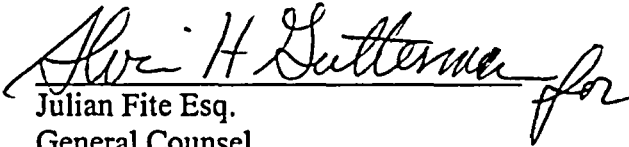
Respectfully submitted,



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