

**RAS 10344**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**DOCKETED 08/22/05**

**SERVED 08/22/05**

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In the Matter of	)	
	)	
U.S. ARMY	)	Docket No. 40-8838
	)	
(Jefferson Proving Ground Site)	)	
_____	)	SUB-1435

**ORDER**

Save the Valley, Inc. (STV) has filed a motion seeking a 30-day extension of time, until September 26, 2005, to file a request for hearing. The NRC staff opposes this request; the licensee did not file an answer to the motion. The issue of whether STV must file a new hearing request to continue its challenge to the licensee's decommissioning plans is now before a presiding officer who is considering the licensee's motion to dismiss the original proceeding. The Commission anticipates the presiding officer will act promptly on the motion. Under the circumstances, the Commission is not inclined to require STV to file a hearing request before the presiding officer rules. Accordingly, the Commission grants STV an extension of time. Should STV not be satisfied with the presiding officer's ruling and it decides to file a new request for hearing, such a request should be filed no later than 14 days after issuance of the presiding officer's ruling or by September 26, 2005, whichever comes first.

IT IS SO ORDERED.

For the Commission

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Annette L. Vietti-Cook  
Secretary of the Commission

Dated at Rockville, Maryland  
this 22<sup>nd</sup> day of August, 2005.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing COMMISSION EXTENSION ORDER have been served upon the following persons by electronic mail this date, followed by deposit of paper copies in the U.S. mail, first class, and NRC internal mail on August 23, 2005.

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Docket No. 40-8838  
COMMISSION EXTENSION ORDER

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[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 22<sup>nd</sup> day of August 2005