

RAS 10380

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 08/29/05

SERVED 08/29/05

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:

Alan S. Rosenthal, Presiding Officer
Dr. Paul B. Abramson, Special Assistant

In the Matter of

U.S. ARMY

(Jefferson Proving Ground Site)

Docket No. 40-8838-MLA-2

ASLBP No. 04-819-04-MLA

August 29, 2005

MEMORANDUM AND ORDER

Before us is the NRC Staff's August 26, 2005 motion seeking clarification of the request for information made during the course of the August 24, 2005 telephone conference on the Army's motion to dismiss this materials license proceeding involving the decommissioning of the Jefferson Proving Ground (JPG) site. By way of clarification, we now advise the parties that our intent was simply to call upon the Staff and the Army, after consultation between them, to provide us with a brief joint report stating, in broad strokes and without disclosing any sensitive information, whether access to the JPG site is as or more restrictive than access would be to a nuclear power plant in the Safestor mode while awaiting decommissioning. That report will now

be due for filing and service no later than noon (EDT) on Friday, September 9, 2005 and shall not exceed three pages in length.

It is so ORDERED.

BY THE PRESIDING OFFICER¹

/RA/

Alan S. Rosenthal
ADMINISTRATIVE JUDGE

Rockville, Maryland
August 29, 2005

¹Copies of this order were sent this date by Internet electronic mail transmission to the counsel for the parties.

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NUCLEAR REGULATORY COMMISSION

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)	
U.S. ARMY)	Docket No. 40-8838-MLA-2
Jefferson Proving Ground Site)	
Madison, Indiana)	
)	
(Materials License Agreement))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER have been served upon the following persons by U.S. mail, first class, or through internal NRC distribution.

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 29th day of August 2005