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DOCKETED
USNRC

December 22, 2005 (4:00pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

In the Matter of	Docket No. 40-8838-MLA
U.S.ARMY	ALSBP No. 00-76-04
(Jefferson Proving Ground Site)	December 22, 2005

UNOPPOSED MOTION FOR EXTENSION OF TIME
BY SAVE THE VALLEY, INC.
TO FILE REPLIES IN SUPPORT OF REQUEST FOR HEARING

Petitioner Save the Valley, Inc. (STV) hereby requests an extension of time to and including Tuesday, January 3, 2006, in which to file its Replies in Support of its pending Petition to Intervene and Request for Hearing. Neither the Army nor the NRC Staff object to the requested extension of time.

In support of its motion, STV represents to the Commission:

1. On November 23, 2005, STV timely filed and served by regular and electronic mail its Petition to Intervene and Request for Hearing in this matter.

2. On December 16, 2005, the Army timely filed and served by regular and electronic mail its Response to Save the Valley's Concerns and Contentions as Set Forth in its Petition to Intervene Filed Herein on November 23, 2005.

3. On December 19, 2005, the NRC Staff timely filed and served by regular and electronic mail its Response to Petition to Intervene and Request for Hearing of Save the Valley.

TEMPLATE = SECY-037

SECY-02

4. Pursuant to the Commission's rules, STV's Reply to the Army's Response would be due on December 23, 2005 and its Reply to the Staff's Response would be due on December 27, 2005.

5. Despite due diligence on the part of STV's President, counsel and consultants, STV will require to and including Tuesday, January 3, 2005, to prepare, file and serve its Replies to the Responses of the Army and the Staff, inasmuch as:

a. Due to personal travel out of state, counsel was unable to review or discuss with his client the Army's and Staff's Responses until the morning of Wednesday, December 21, 2005.

b. At that time, counsel learned that both his client and two of STV's three consultants had personal plans and professional commitments which would preclude their full review of the Responses before December 27, 2005.

c. The Responses of the Army (53 pages, with an 8-page attachment) and the Staff (57 pages) are lengthy and technical, requiring extensive, detailed review and comment by all of STV's consultants as well as its President in order for STV to prepare its Replies to the Army's and Staff's Responses.

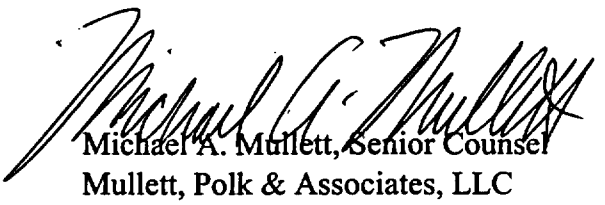
d. After receiving the comments of STV's consultants and President, STV's counsel will require additional time to prepare STV's Replies and review them with his client and STV's consultants prior to filing and serving them.

6. The undersigned counsel certifies that, on Wednesday, December 21, 2005, he contacted counsel for the Army and the NRC Staff by electronic mail regarding STV's request for an extension of time and that both indicated they had no objection to the request.

WHEREFORE, STV respectfully requests that the Commission grant an extension of time to

and including Tuesday, January 3, 2006, for STV to file its Replies in support of its pending Petition to Intervene and Request for Hearing, as well as any other relief just and proper under the circumstances.

Respectfully submitted,



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Attorney for Save the Valley, Inc.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	Docket No. 40-8838-MLA
U.S.ARMY	)	ASLBP No. 00-776-04-MLA
(Jefferson Proving Ground Site)	)	December 22, 2005

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Motion for Extension of Time have been served this 22nd day of December, 2005, upon the following persons by electronic mail and by U.S. Mail, first class postage prepaid.

Administrative Judge Alan S. Rosenthal, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3-F-23
Washington, D.C. 20555-0001

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U.S. Nuclear Regulatory Commission
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Save The Valley
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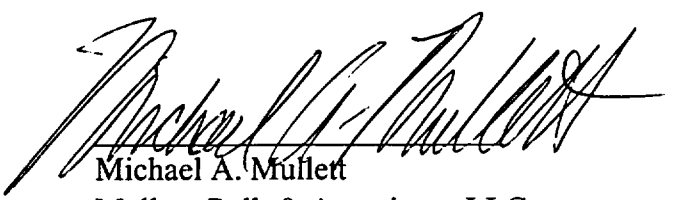
Madison, IN 47250



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Michael A. Mullett, Senior Counsel
Jerome E. Polk, Lead Counsel

December 22, 2005

Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
ATTN: Rulemakings and Adjudications Staff

Re: Motion of Save the Valley, Inc., for Extension of Time to File Replies in Support of Request for Hearing. - In the Matter of the U.S. Army (Jefferson Proving Ground Site), Docket No. 40-8838-MLA

Dear Secretary:

Enclosed please find for filing in the above-referenced docket the original and two conformed copies of the Unopposed Motion of Save the Valley, Inc., for Extension of Time to File Replies in support of Request for Hearing.

Thank you for your assistance in this matter.

Respectfully submitted,

Michael A. Mullett
Attorney for Save the Valley, Inc.

cc: Service List – Docket No. 40-8838-MLA