

**RAS 12825**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

**DOCKETED 01/04/07**

**SERVED 01/04/07**

Before Administrative Judges:

Alan S. Rosenthal, Chairman  
Dr. Paul B. Abramson  
Dr. Richard F. Cole

In the Matter of

U.S. ARMY

(Jefferson Proving Ground Site)

Docket No. 40-8838-MLA

ASLBP No. 00-776-04-MLA

January 4, 2007

ORDER

(Scheduling Conference Call To Discuss Matters Relating To Case Scheduling And Management)

As the parties to this proceeding were previously informally advised, on Wednesday, January 24, 2007, at 10:00 AM (EST), this Board will convene a conference call with their counsel to discuss matters relating to case scheduling and management. See 10 C.F.R. § 2.332(a). Counsel should be prepared to discuss the preparation of a scheduling order that is consistent with the model milestones for Subpart L hearings provided in 10 C.F.R. Part 2, Appendix B (II). In particular, the Board will solicit their views on the following topics:

1. The status of the mandatory disclosure process (10 C.F.R. §§ 2.336, 2.1203);
2. What plans, if any, the parties have for the filing of preliminary motions or other pleadings, such as motions for the use of Subpart G hearing procedures (10 C.F.R. § 2.310(d)), or motions to request cross-examination (10 C.F.R. § 2.1204(b));
3. What plans, if any, the parties have for the filing of motions for summary disposition on the currently admitted contention;
4. Suggested schedule for submission of written testimony and proposed questions (10 C.F.R. § 2.1207);
5. Possible dates for the evidentiary hearing to be conducted in either April or May 2007;
6. Whether the parties are aware of any other matters that might impact the scheduling order; and

7. Any other matters that counsel may wish to bring to the Board's attention.

Although only one counsel for a particular party will be heard during the conference, it may be audited by additional representatives. No later than 5:00 PM on Tuesday January 16, 2007, SherVerne Cloyd – a member of the Licensing Board Panel's administrative staff who may be reached at 301-415-6504 or SRC2@nrc.gov – should be advised as to the number of separate telephone lines that will be required by each party. She should also be informed at that time of the name of the counsel who will represent the party at the conference. The conference call will be stenographically transcribed. After the call, the Board will issue an appropriate Scheduling and Case Management Order.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>1</sup>

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Alan S. Rosenthal, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
January 4, 2007

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<sup>1</sup> Copies of this Order were sent this date by Internet electronic mail transmission to counsel for (1) the Licensee, (2) the NRC Staff, and (3) Intervenor.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
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U.S. ARMY ) Docket No. 40-8838-MLA  
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(Jefferson Proving Ground) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (SCHEDULING CONFERENCE CALL TO DISCUSS MATTERS RELATING TO CASE SCHEDULING AND MANAGEMENT) have been served upon the following persons by U.S. mail, first class, or through internal NRC distribution.

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Docket No. 40-8838-MLA  
LB ORDER (SCHEDULING CONFERENCE CALL TO DISCUSS  
MATTERS RELATING TO CASE SCHEDULING AND MANAGEMENT)

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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 4<sup>th</sup> day of January 2007