

- b. Documents to which the attorney work-product privilege is claimed when the documents are authored by counsel when no other person outside the client control group was included among the recipients. If a document was not authored by counsel and the work-product privilege is claimed the document must be identified on the privilege log as required by 10 C.F.R. §§ 2.336(a)(3) and (b)(5). The Parties reserve the opportunity to seek any such document so-listed on the privilege log. Documents created primarily to facilitate preparation of pleadings and mandatory disclosures associated with this proceeding need not be listed on the privilege log. It would be understood that non-privileged attachments to documents for which a privilege is claimed, whether or not the covering document is listed on the privilege log, would be subject to disclosure. In entering this stipulation, STV does not concede the deliberative process privilege, understands that any document for which such a privilege is claimed will be identified in the privilege log, and reserves the opportunity to seek any documents for which such a privilege is claimed.
4. The Parties need not identify or produce documents on ADAMS which have been served in the current proceeding or the prior JPG decommissioning proceedings initiated on petition by STV.
5. The Parties need not identify or produce media clippings, recordings, or videos.
6. The Parties need not identify or produce duplicate copies of documents which are identical in content and annotation but are in the hands of multiple recipients.
7. The Parties need not identify or produce incomplete documents and data sets which were never distributed to or reviewed by anyone other than their author(s) and never included in or with a memorandum to a case or project file.

8. Supplemental disclosures required by 10 C.F.R. § 2.336(d) will be provided within 30 days, rather than 14 days provided that any study, report, analysis, data compilation, or other information cited, referenced or otherwise relied upon in initial written statements of position, written testimony, written responses and rebuttal testimony shall be disclosed in its entirety no later than five (5) business days prior to the date the written statements and testimony are filed, if not already disclosed.

All of the Parties have reviewed this motion and have authorized the undersigned to sign on their behalf.

Respectfully submitted,

IRA/

Marian L. Zabler
Counsel for NRC Staff

Dated at Rockville, MD
this 12th day of January, 2007

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATE OF SERVICE

I hereby certify that copies of "JOINT MOTION ON PRIVILEGE LOG AND MANDATORY DISCLOSURES" in the above captioned proceeding have been served on the following by electronic mail with copies deposited in the Nuclear Regulatory Commission's internal mail system as indicated by a single asterisk or by U.S. Mail, first class, as indicated by a double asterisk by e-mail, this 12th day of January 2007.

Alan S. Rosenthal, Esq., Chair *
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555
E-mail: rsnthl@comcast.net
src2@nrc.gov
daw1@nrc.gov

Atomic Safety and Licensing Board Panel*
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555
(Hardcopy only)

Richard Hill, President **
Save the Valley, Inc.
P.O. Box 813
Madison, IN 47250
E-mail: phill@venus.net

Dr. Paul B. Abramson*
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3 F23
Washington, D.C. 20555
E-mail: pba@nrc.gov

Dr. Richard F. Cole*
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555
E-mail: rfc@nrc.gov

Office of Commission Appellate Adjudication *
U.S. Nuclear Regulatory Commission
Mail Stop: O-16 C1
Washington, D.C. 20555
E-mail: OCAAMAIL@nrc.gov

Office of the Secretary *
Attn: Rulemaking and Adjudications Staff
U.S. Nuclear Regulatory Commission
Mail Stop: O-16 C1
Washington, D.C. 20555
E-mail: HEARINGDOCKET@nrc.gov

Michael A. Mullett, Esq. **
Mullett & Associates, LLC
309 West Washington Street
Suite 233
Indianapolis, IN 46204-2721
E-mail: mmullett@mullettlaw.com

Frederick P. Kopp, Esq. **
John J. Welling, Esq. **
Larry D. Manecke, Esq. **
Commander
U.S. Army Garrison
Rock Island Arsenal
ATTN: AMSTA-RI-GC
(J. WELLING, L. MANECKE, AND
F. KOPP)
1 Rock Island Arsenal Place
Rock Island, IL 61299-5000
E-Mail: koppf@ria.army.mil
wellingj@ria.army.mil
maneckel@ria.army.mil

/RA/

Marian L. Zabler
Counsel for the NRC Staff