

RAS 12933

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

DOCKETED 01/29/07

SERVED 01/29/07

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 29, 2007

ORDER

(Scheduling Further Proceedings)

On Wednesday, January 24, 2007, this Board convened a telephone conference with counsel for the parties to consider matters relating to case scheduling and management in the above-captioned proceeding. One of the matters discussed was a January 19, 2007 motion of Intervenor, Save the Valley, Inc., seeking the admission to the proceeding of a new contention on the basis of some recent disclosures by the Licensee, Department of the Army. During the conference, Intervenor's counsel indicated that he proposed to submit yet another contention based upon still more recent Licensee disclosures contained in a document identified as Addendum 4.

At the conclusion of the conference, and with the agreement of all counsel, the Board established the following schedule:

Friday, February 23, 2007 - Intervenor shall file and serve an amended motion that is to include both the relief sought in the January 19 motion and the additional relief thought to be warranted in light of Addendum 4 and any other new Licensee disclosures.

Thursday, March 15, 2007 - Licensee and the NRC Staff shall file and serve their responses to the amended motion.

Monday, March 26, 2007 - If it so desires, Intervenor may file a reply to the Licensee and Staff responses. Any such reply is not to exceed ten (10) pages in length.

After receipt of all the parties' filings, the Board will issue an order on the amended motion, determining what, if any, additional contentions will be admitted to the proceeding. Shortly thereafter, the Board will convene a pre-hearing conference to discuss further scheduling.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD¹

/RA/

Alan S. Rosenthal, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
January 29, 2007

¹ 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.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (SCHEDULING FURTHER PROCEEDINGS) 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 FURTHER PROCEEDINGS)

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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 January 2007