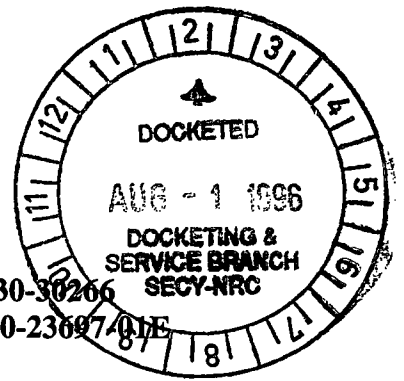


UNITED STATES
NUCLEAR REGULATORY COMMISSION



In the Matter of)
)
Innovative Weaponry, Inc.)
Albuquerque, New Mexico)

Docket No. 030-30266
License No. 30-23697-01E
EA 96-170

REQUEST FOR EXTENSION OF TIME

On June 26, 1996, the Commission issued an Order in this matter requiring that within 15 days of the Order date, licensee particularize the bases for its contentions set out in a Request for Hearing dated June 14, 1996. Subsequently, licensee requested and was given an extension of time until August 2, 1996 because of an outstanding and unresolved FOIA request for information vital to licensee's case.

That FOIA request along with a request for waiver of fees is still under consideration. Even if favorably resolved in the near future, it would take considerable time to analyze and evaluate what is likely to be a voluminous record. If not favorably resolved, the appeal process may take an appreciable time as well.

Moreover, IWI counsel has a long standing commitment for the last week of August to assist in a Seminar on the Legal Aspects of the Safe Management of Radioactive Waste and Decommissioning. The seminar is being conducted by the OECD Nuclear Energy Agency in Cernavoda, Romania, to assist eastern bloc countries in addressing radiological issues concerning the improvement of health, safety and the environment. IWI counsel is a key representative from the United States and is charged with several program responsibilities.

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In addition, IWI counsel must also meet with an international organization on radioactive waste management in Brussels, Belgium during the second week in September. This commitment, too, is long standing.

In these circumstances, IWI counsel requests a further extension of time until September 20, 1996 to particularize the bases for licensee's contentions. NRC counsel has agreed to this request provided licensee agrees to remain in compliance with the May 15, 1996 Confirmatory Order during the pendency of this matter. (See Attachment A). Licensee so agrees.



James R. Tourtellotte
Attorney-at-Law
IWI Counsel



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 30, 1996

Attachment
A

James R. Tourtellotte, Esq.
1200 N. Nash Street, No. 1141
Arlington, VA 22209

In the Matter of
INNOVATIVE WEAPONRY, INCORPORATED
Docket No. 030-30266 EA 96-170

Dear Mr. Tourtellotte:

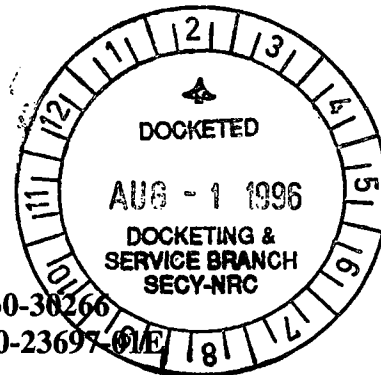
This is to confirm our telephone conversation today regarding a request for an extension of time to respond to the Commission's June 26, 1996 Order, directing the Licensee to file the bases for its contentions filed in its June 14, 1996 Request for Hearing. By order dated July 9, 1996, the Commission granted your earlier request for an extension, until August 2, 1996, to respond to its June 26, 1996, Order. The NRC staff does not oppose your request for an extension, until September 20, 1996, in which to file the bases for the Licensee's contentions, provided any such motion for an extension of time filed with the Commission explicitly states that the Licensee intends to remain in compliance with the May 15, 1996 Confirmatory Order during the pendency of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Marian Zabler".

Marian L. Zabler
Counsel for NRC Staff

UNITED STATES
NUCLEAR REGULATORY COMMISSION



In the Matter of)
)
Innovative Weaponry, Inc.)
)
Albuquerque, New Mexico)

Docket No. 030-30266
License No. 30-23697-01E
EA 96-170

Certificate of Service


I hereby certify that copies of the foregoing Request for Extension of Time have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 C.F.R. § 2.701.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Office of the General Counsel
Mail Stop 0-15 B 18
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Leonard J. Callan, Administrator
Region IV
U.S. Nuclear Regulatory Commission
Harris Tower
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011

Dated at Arlington, Virginia, this
31st day of July, 1996.


James R. Tourtellotte
Attorney