

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

'96 JUL 10 A8:27

In the Matter of)
)
INNOVATIVE WEAPONRY, INCORPORATED)
)
Albuquerque, New Mexico)
_____)

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Docket No. 030-30266 - *HP*
License No. 30-23697-01E
EA 96-170
Confirmatory Order

SERVED JUL 10 1996

ORDER

On May 15, 1996, the Director of the Nuclear Regulatory Commission's (NRC) Office of Enforcement issued an immediately effective Confirmatory Order that modified the license of Innovative Weaponry, Inc. ("the licensee"). On June 14, 1996, the licensee filed a Request for Hearing on the Confirmatory Order, contending, among other things, "unjustifiable regulatory duress" in NRC actions leading up to the issuance of the Confirmatory Order.

On June 26, 1996, the Commission directed the licensee to file the bases for its contentions within 15 days. The Commission also permitted the NRC staff to file an answer within 15 days of the licensee's submittal. The Commission's Order left the Director's Confirmatory Order in effect.

The licensee now asks, in a motion filed on June 29, 1996, that the Commission extend to August 2, 1996, the time in which the licensee must comply with the Commission's June 26 Order.

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Counsel for the NRC staff has told the licensee in writing that the staff does not oppose the extension, as long as the licensee agrees to remain in compliance with the Director's May 15, 1996, Confirmatory Order. In its motion for the extension, the licensee so agrees.

Therefore, under the authority given me by 10 CFR 2.772, I hereby extend to August 2, 1996, the time in which the licensee must comply with the Commission's June 26, 1996, Order. Any answer the NRC staff chooses to file remains due 15 days after the licensee's submittal.

It is so ORDERED.



For the Commission,

A handwritten signature in cursive script, appearing to read "John C. Hoyle".

JOHN C. HOYLE
Secretary of the Commission

Dated at Rockville, Maryland
this 9th day of July, 1996

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of
INNOVATIVE WEAPONRY, INCORPORATED
(Albuquerque, New Mexico)

Docket No.(s) 30-30266

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing COMM ORDER (EXTENDING 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 CFR Sec. 2.712.

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

Office of the General Counsel
Mail Stop 0-15 B 18
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Leonard J. Callan, Administrator
Region IV
U.S. Nuclear Regulatory Commission
Harris Tower
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011

Dated at Rockville, Md. this
10 day of July 1996


Office of the Secretary of the Commission