

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of)

APPLICATION OF WESTINGHOUSE ELECTRIC)
CORPORATION FOR A SPECIAL NUCLEAR)
MATERIAL LICENSE FOR THE ALABAMA)
NUCLEAR FUEL FABRICATION PLANT (ANFFP))
TO BE LOCATED NEAR PRATTVILLE, ALABAMA)

Docket No. 70-2909

JOINT MOTION FOR EXTENSION OF TIME

Pursuant to 10 CFR §§ 2.711 and 2.730, the NRC Staff ("Staff") and other parties identified in paragraphs 3 and 7 below, hereby move for the following extensions of time: (a) an extension of time of five (5) days, until February 25, 1981, in which to file a stipulation and response to contentions filed by petitioner Safe Energy Alliance of Central Alabama, Inc. ("SEACA"); and (b) an extension of time of 16 days, until March 16, 1981, in which to file a stipulation and response to contentions identified by Petitioner Cathalynn Donelson as those she seeks to preserve in this proceeding. In support hereof, the Staff states as follows:

(a) Stipulation of SEACA's Contentions

1. On February 2, 1981, the Atomic Safety and Licensing Board ("Licensing Board") issued a Memorandum and Order ("Order") which, inter alia, noted that the Staff, Applicant Westinghouse Electric Corp. ("Applicant") and Petitioner SEACA "may be about to stipulate a number of SEACA's contentions" (Order, at 2). Accordingly, the Licensing Board

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extended the time in which the Staff, Applicant, SEACA and the State of Alabama may file "a response setting forth the basis for their respective positions" as to those contentions which could not be agreed upon by way of stipulation.

2. The Staff, Applicant and Petitioner SEACA have been continuing their efforts to reach a stipulation of contentions, and believe that agreement upon a stipulation will be reached shortly. Further, the Staff, Applicant and SEACA believe that the stipulation, as well as their respective statements of position as to non-stipulated contentions, can be filed on or before February 25, 1981.^{1/}

3. In view of the likelihood that an agreement upon a stipulation will be reached within the next few days, the Staff, Applicant and Petitioner SEACA request an extension of time of five (5) days, until February 25, 1981, in which to file the stipulation and their respective positions concerning those contentions as to which no stipulation is reached.

(b) Stipulation of Donelson's Contentions

4. In the telephone conference call held on January 30, 1981 among the parties, petitioners, and Licensing Board, Petitioner Donelson undertook to submit a verbatim listing of the contentions she seeks to preserve in this proceeding (Order, at 2). The Licensing Board urged the parties "to meet as soon as possible with Miss Donelson to edit the

^{1/} While a stipulation appears likely to be agreed upon by February 25, 1981, it will not be possible to file a properly signed copy of the stipulation at that time, due to delays resulting from the parties' having to circulate the stipulation by mail. Accordingly, the parties intend to file by February 25, 1981, an unexecuted copy of the stipulation which the Staff will have been authorized to submit by the Applicant and SEACA. An identical copy of the stipulation will be filed shortly thereafter, properly executed by the parties to the stipulation.

contentions, to stipulate those as to which agreement can be reached and to state the basis for disagreement as to the remaining ones" (id.). It was anticipated that such a Stipulation and positions as to non-stipulated contentions might be filed by February 28, 1981.

5. The Staff, Applicant and SEACA have been actively engaged in attempting to reach a Stipulation of SEACA's contentions, as discussed supra, paras. 1-3, and have not yet had an opportunity to meet with Petitioner Donelson to discuss the contentions she seeks to preserve. Furthermore, inasmuch as a stipulation of SEACA's contentions has not as yet been finalized, any discussion of Ms. Donelson's contentions would have been seriously impaired and tentative, at best.

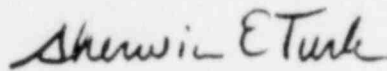
6. In view of the likelihood that agreement upon a Stipulation will be reached as to SEACA's contentions within the next few days, the Staff, Applicant and Petitioner Donelson believe that they will be able to commence discussions in the near future in an effort to agree upon a stipulation of the contentions Petitioner Donelson seeks to preserve.

7. The Staff, Applicant and Petitioner Donelson believe that an extension of time until March 16, 1981 will serve to advance the orderly conduct of this proceeding, and that no significant delay to the proceeding will result from the granting of this Motion. Accordingly, the Staff, Applicant and Petitioner Donelson request an extension of time of 16 days, until March 16, 1981 in which to file a Stipulation and their respective positions concerning those contentions as to which no stipulation is reached.

8. Counsel for the WRC Staff has been authorized to submit this Motion by the Applicant, Petitioner SEACA, and Petitioner Donelson on their behalf.

WHEREFORE, pursuant to 10 CFR §§ 2.711 and 2.730, the Staff and other parties identified herein hereby move for (a) an extension of time of five days, until February 25, 1981, in which to file a stipulation and response to contentions filed by Petitioner SEACA, and (b) an extension of time of 16 days, until March 16, 1981, in which to file a stipulation and response to contentions identified by Petitioner Donelson.

Respectfully submitted,



Sherwin E. Turk
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 20th day of February, 1981

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CERTIFICATE OF SERVICE

I hereby certify that copies of "JOINT MOTION FOR EXTENSION OF TIME" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 20th day of February, 1981:

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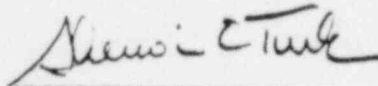
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Sherwin E. Turk
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