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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNWC

ATOMIC SAFETY AND LICENSING BOARD

90 APR -4 P12:24

Before Administrative Judges:

Marshall E. Miller, Chairman
Oscar H. Paris
Frederick J. Shon

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

SERVED APR 04 1990

In the Matter of

SAFETY LIGHT CORPORATION,
et al.

(Bloomsburg Site
Decontamination)

Docket Nos. 030-05980
030-05981
030-05982
030-08335
030-08444

ASLBP No. 89-590-01-OM
90-598-01-OM-2

April 4, 1990

ORDER

(Denying Motion for the Resetting of the Hearing Schedule
and Status Conference)

Counsel for USR Industries filed its Motion for the Resetting of the Hearing Schedule and Status Conference on Friday, March 30, 1990, and served copies on the Board and parties by regular U.S. mail on the same date. This motion was received by the Chairman of the Licensing Board at his residence in Daytona Beach, Florida, on Tuesday, April 3, 1990.¹ Such motion requested that depositions be rescheduled to commence "the week of April 23, 1990," rather than March 13 as scheduled. It also requested that a

¹On February 20, 1990, a Notice to All Parties was filed by the Board stating that in "any instance where rapid response to a filing is desired, service to Chairman Miller must be made by express mail rather than regular mail."

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Status Conference set by the Board for April 19 be delayed to the week of May 7.

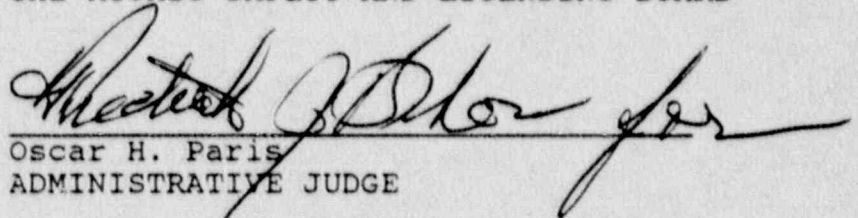
The motion to delay the Status Conference is denied. That conference was scheduled by the Board's order entered March 19, 1990, and the parties were directed "to have in the hands of the Board all reports, motions and other filings at least one week prior to the conference." The conference was set for April 19 in Bethesda, Maryland, and all motions were to be in the hands of the members of the Board by at least April 12. Travel reservations and a nonrefundable airline ticket have been made by the Chairman of the Board on the basis of those dates, and there is nothing in the motion to compel such a delay. If anything, repeated requests for scheduling delays demonstrate the importance of this conference.

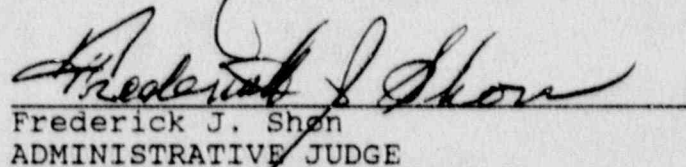
It appears to the Board that the movant is overstressing the need for further document discovery before starting to take depositions. The Staff was somewhat dilatory in producing documents, but it did produce the remaining 30 percent on March 21, pursuant to our order of March 14. The staff also responded on March 28 to our order to answer seven supplemental interrogatories. That should be sufficient information to commence deposition, and we can prevent actual prejudice to any party by reviewing those matters at the April 19 Status Conference. Finally, we have no desire to interfere with the observance of the "upcoming

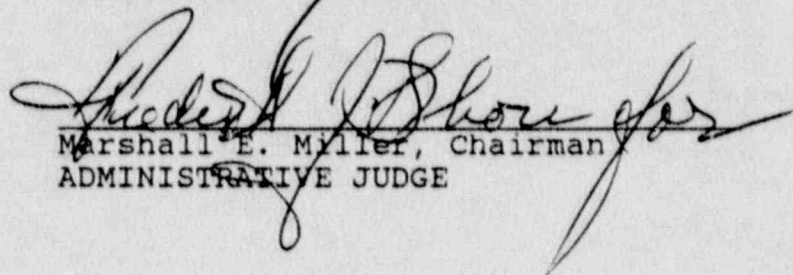
religious holidays." However, the dates of the Passover holiday have been known to counsel for some time. This somewhat tardy motion filed after the expiration of some previously scheduled dates for action is neither timely nor adequate. Accordingly, the parties are directed to proceed with discovery with all deliberate speed, and the Board will review the schedule for this expedited proceeding at the Status Report Conference on April 19, 1990.

IT IS SO ORDERED.

THE ATOMIC SAFETY AND LICENSING BOARD


Oscar H. Paris
ADMINISTRATIVE JUDGE


Frederick J. Shen
ADMINISTRATIVE JUDGE


Marshall E. Miller, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland
April 4, 1990

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

SAFETY LIGHT CORPORATION, ET AL.

Docket No.(s) 30-05980 ET AL-OH

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (DENYING MOTION...) 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.

Administrative Judge
Christine N. Kohl, Chairman
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Alan S. Rosenthal
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Oscar H. Paris
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Frederick J. Shon
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
James H. Carpenter
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
W. Reed Johnson
ASLAB
115 Falcon Drive, Colthurst
Charlottesville, VA 22901

Administrative Judge
Marshall E. Miller, Chairman
ASLBP
1920 South Creek Blvd.
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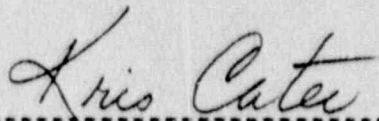
Gerald Charnoff, Esquire
Shaw, Pittman, Potts and Trowbridge
2300 N Street, NW
Washington, DC, 20037

Docket No. (s) 30-05980 ET AL-DM
LB ORDER (DENYING MOTION...)

Jack Miller, President
Safety Light Corporation
4150-A Old Berwick Road
Bloomsburg, PA 17815

Regional Administrator
U. S. Nuclear Regulatory Commission
Region I
475 Allendale Road
King of Prussia, PA 19406

Dated at Rockville, Md. this
4 day of April 1990



Office of the Secretary of the Commission

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

SAFETY LIGHT CORPORATION, ET AL.

Docket No. (s) 30-05980 ET AL-DH-2

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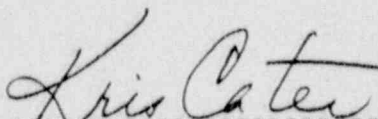
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Dated at Rockville, Md. this
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