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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
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Before Administrative Judges:

Morton B. Margulies, Chairman
Oscar H. Paris
Frederick J. Shon

SERVED MAR 15 1990

In the Matter of

ALL CHEMICAL ISOTOPE
ENRICHMENT, INC.

(Alchemie Facility-1CPDF)

and

(Alchemie Facility-2 Oliver Springs)

) Docket Nos. 50-603 OM/SC
) 50-604 OM/SC

) ASLBP No. 87-596-01-OM/SC

) March 15, 1990

MEMORANDUM AND ORDER

By motion dated February 16, 1990, NRC Staff requests that an order be issued setting a schedule for the further conduct of this proceeding. No response to the motion has been received from licensee All Chemical Isotope Enrichment, Inc. In this Memorandum and Order we grant the unopposed motion.

NRC Staff proposes the following schedule to begin following the issuance of the scheduling order.

<u>Day</u>	<u>Event</u>
5	Commence Discovery
35	Complete Discovery
50	File Motion(s) for Summary Disposition
65	Response to Motion(s) for Summary Disposition
85	Board Ruling on Summary Disposition

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<u>Day</u>	<u>Event</u>
100	Written Direct Testimony Filed
110	Motions to Strike Testimony Filed
120	Responses to Motions to Strike Testimony Filed
140	Evidentiary Hearing Commences

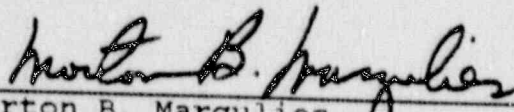
In its motion NRC Staff notes that in the event that the licensee does not respond to the subject motion, or that if it fails to comply with the scheduling order, it will move for the entry of an order dismissing this proceeding.

The Licensing Board has had jurisdiction over this proceeding since September 26, 1989 when it was established. A reasonable time has elapsed so that the proceeding should be gotten underway. Staff's proposed schedule is a reasonable one. All Chemical Isotope Enrichment, Inc., has not chosen to oppose it. On that basis the Licensing Board decides to make that proposed its scheduling order.

In entering this scheduling order, it is without prejudice to NRC Staff moving for the entry of an order seeking dismissal of this proceeding should there be a failure to respond to this order.

It is so ORDERED.

For the Atomic Safety and
Licensing Board


Morton B. Margulies
Administrative Law Judge

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

ALL CHEMICAL ISOTOPE
ENRICHMENT, INC.
(Construction Permit Nos. CPEP-1 and
CPEP-2)

Docket No. (s) 50-603/604-OM/SC

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER 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.

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

Administrative Judges
Morton B. Margulies, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

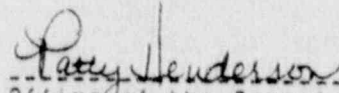
Administrative Judge
Oscar H. Paris
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Frederick J. Shon
Atomic Safety and Licensing Board
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702 Illinois Avenue, Suite 202-B
Oak Ridge, TN 37830

Dated at Rockville, Md. this
15 day of March 1990


Office of the Secretary of the Commission