

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges  
John F. Wolf, Chairman  
Harry Foreman  
Martin J. Steindler

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| In the Matter of                  | ) | Docket No. 70-2909        |
| WESTINGHOUSE ELECTRIC CORPORATION | ) | (Special Nuclear Material |
| (Alabama Nuclear Fuel Fabricating | ) | License)                  |
| Plant)                            | ) |                           |
|                                   | ) | August 11, 1982           |

MEMORANDUM AND ORDER

In this Board's Memorandum and Order, dated July 8, 1982, it was pointed out that on June 10, 1981, the Westinghouse Electric Corporation had requested permission to withdraw its application for a special nuclear material license. Eleven months later, on May 11, 1982, the NRC Staff notified Westinghouse that it had stopped work on the Environmental Impact Statement and had placed all records in the case in storage.

The Order of July 8, 1982, provided that if Westinghouse did not formalize its request to withdraw its application by filing a motion to dismiss on or before July 30, 1982, the Board would dismiss the matter "without prejudice."

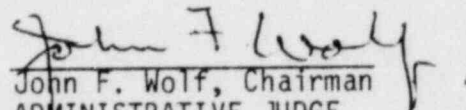
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The Westinghouse Electric Corporation has not responded to the Order within the stated time. Accordingly, it is

ORDERED

that Westinghouse Electric Corporation's application for a special nuclear material license related to a proposed facility at Prattville, Alabama be dismissed "without prejudice" for failure to prosecute.

FOR THE ATOMIC SAFETY AND  
LICENSING BOARD

  
John F. Wolf, Chairman  
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland  
this 11th day of August 1982