

RAS 3189

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

01 JUL -2 P4:36

Before the Administrative Judges:
Thomas S. Moore, Chairman
Charles N. Kelber
Peter S. Lam

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of)

DUKE COGEMA STONE & WEBSTER)

Docket No. 070-03098-ML

(Savannah River Mixed Oxide Fuel
Fabrication Facility))

ASLBP No. 01-790-01-ML

OBJECTION TO
PROTECTIVE ORDER GOVERNING
ACCESS TO DUKE COGEMA STONE & WEBSTER
CONSTRUCTION AUTHORIZATION REQUEST
PROPRIETARY INFORMATION

Environmentalists, Inc. (E.I.) objects to the Protective Order and Non-disclosure affidavit prepared by Duke Cogema Stone & Webster (DCS).

The protective provisions are excessively inclusive and excessively complex.

E.I. would be expending much time and energy to comply with what DCS is proposing. This would be a handicap in terms of E.I.'s ability to meet the July 30th deadline set for submitting amendments to the organization's Request for Hearing and Petition to Intervene.

Making contentions specific enough may be impossible if E.I. doesn't have the information being withheld by DCS.

In addition the problems created by these overly protective provisions, E.I. members and advisors will not be able to discuss issues related to the licensing of the MOX facility with those not having signed the Non-disclosure affidavit. The threat of being accused of disclosing information in the Protective Order will also restrict E.I. from speaking or writing about the MOX facility and other related matters, such as licensing plans.

Sincerely,
Ruth Thomas

President, Environmentalists, Inc.
803-782-3000

Template = SECY-049

SECY-02

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CERTIFICATE OF SERVICE

I hereby certify that Environmentalists, Inc.'s "Objection to Protective Order Governing Access to Duke Cogema Stone & Webster Construction Authorization Request Proprietary Information and Nondisclosure Affidavit" were served this day upon the persons listed below, by United States Postal Service and by e-mail on July 27, 2001.

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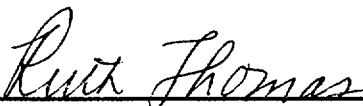
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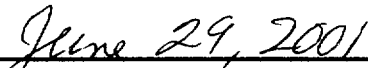
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Ruth Thomas
President, Environmentalists, Inc.


Date