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OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

August 7, 2001

Administrative Judge
Thomas S. Moore, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Administrative Judge Charles N. Kelber
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Administrative Judge Peter S. Lam
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Re: Duke Cogema Stone & Webster (Savannah River Mixed Oxide Fuel
Fabrication Facility), Docket No. 070-03098-ML; ASLBP No. 01-
790-01-ML - - Oral Argument Schedule

Dear Members of the Licensing Board:

Duke Cogema Stone & Webster ("DCS") has reviewed the Licensing Board's July 17, 2001 Memorandum and Order that, among other things, sets September 17, 18 or 21 for potential oral argument on standing and contentions in the above proceeding. As discussed below, Counsel for DCS have a conflict with two of these dates.

The Jewish religious high-holiday—Rosh Hashanah—begins at sundown on Monday, September 17 and ends the evening of Wednesday, September 19. Counsel for DCS, Donald Silverman and Alex Polonsky, observe this religious holiday. DCS therefore requests that the Licensing Board schedule oral argument, if required, on Friday, September 21. NRC Staff Counsel, Ms. Glenn Carroll (GANE), Mr. Don Moniak (BREDL), and Ms. Edna Foster have stated to DCS Counsel that they do not oppose this request. Ms. Ruth Thomas (Environmentalists, Inc.) has indicated that Environmentalists, Inc. may be opposing the request.

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SECY-02

Administrative Judge Thomas S. Moore, Chairman
Administrative Judge Charles N. Kelber
Administrative Judge Peter S. Lam
August 7, 2001
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& Bockius LLP

Accordingly, DCS respectfully requests that any oral argument on standing and contentions required by the Licensing Board occur on Friday, September 21, 2001.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald J. Silverman", with a long horizontal flourish extending to the right.

Donald J. Silverman
Alex S. Polonsky
Marjan Mashhadi
Morgan, Lewis & Bockius, LLP
1800 M Street, N.W.
Washington, D.C. 20036

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD**

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

In the Matter of)	
)	
DUKE COGEMA STONE & WEBSTER)	Docket No. 070-03098-ML
)	
(Savannah River Mixed Oxide Fuel)	ASLBP No. 01-790-01-ML
Fabrication Facility))	
)	

CERTIFICATE OF SERVICE

I hereby certify that copies of DCS' August 7, 2001 letter to the Licensing Board regarding the oral argument schedule were served this day upon the persons listed below, by both e-mail and United States Postal Service, first class mail, with the exception of Environmentalists, Inc., which was served by overnight mail.

Secretary of the Commission*
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Attn: Rulemakings and Adjudications Staff
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Administrative Judge
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Washington, D.C. 20555-0001
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Administrative Judge Charles N. Kelber
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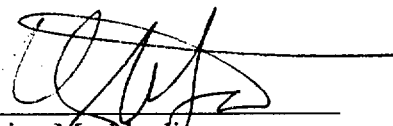
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Ruth Thomas, President
Environmentalists, Inc.
1339 Sinkler Road
Columbia, SC 29206



Marjan Mashhadi

8/7/01

Date