

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	Docket No. 30-36239-ML
CFC LOGISTICS, INC.)	
)	ASLBP No. 03-814-01-ML
(Quakertown, Pennsylvania))	

STAFF REQUEST FOR EXTENSION OF TIME

BACKGROUND

By "Prehearing Order (Scheduling Additional Filings and Possible Oral Argument," dated August 13, 2003, ("Scheduling Order") the Presiding Officer (P.O.), established a schedule under which:

1. The NRC Staff ("Staff") would file a brief on the questions of standing of the Petitioners, "Concerned Citizens of Milford Township," and the "germaneness" of the Petitioners' "areas of concern" under Subpart L of 10 C.F.R. Part 2, by August 25, 2003;
2. The Petitioners and the Applicant, "CFC Logistics, Inc.," would file responses to the Staff's brief simultaneously on September 3, 2002; and
3. Oral Argument on the issues of standing and germaneness would be held, if necessary, on the evening of September 10, 2003.

Scheduling Order, at 2-3.

DISCUSSION

There is good cause for granting the request for extension. Because of Staff Counsel's necessary attendance at a public meeting in Quakertown, Pennsylvania, on August 21, 2001, and associated time out of the office Staff Counsel needs a two-day extension of the August 25, 2003 reply date.

Staff Counsel discussed with counsel for the Petitioners and the Applicant, on August 21, 2003, the need for an extension of two days, until August 27, 2003, to file the Staff's pleading. Mr. Robert Sugarman, Counsel for Petitioners, indicated his opposition to the requested extension. Mr. Christopher Pugsley, Counsel for the Applicant, indicated that the Applicant would not be opposed to the requested extension, provided that the Applicant received a commensurate extension, to September 5, 2003. Such extension would under the provisions of the Prehearing Order for simultaneous filings by the Petitioners and Applicant, also apply to the Petitioners.

Staff Counsel provided all of the above information to Ms. Susan Lin, Law Clerk to the Atomic Safety and Licensing Board Panel, on August 21, 2003. Ms. Lin, after discussing the circumstances with Judge Farrar, advised Staff Counsel that he should file this motion as soon as possible, and that filing on August 22, 2003, upon his return to his office, would be acceptable.

CONCLUSION

Accordingly, the NRC Staff respectfully requests an extension of two days until August 27, 2003 for the filing of its brief on standing of the Petitioners and the germaneness of their areas of concern.

Respectfully submitted,

/RA/

Stephen H. Lewis
Counsel for NRC Staff

Dated at Rockville, Maryland
this 22nd day of August, 2003

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the matter)	
)	Docket No. 302-362339-ML
CFC LOGISTICS, INC.)	
QUAKERTOWN, PENNSYLVANIA)	
)	
(Materials License))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "STAFF REQUEST FOR EXTENSION OF TIME" have been served upon the persons listed below by 1st class U.S. mail, or through deposit in the Nuclear Regulatory Commission's internal mail system as indicated with an asterisk this 22nd day of August, 2003.

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/RA/

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Counsel for NRC Staff