

**RAS 6935**

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

**DOCKETED 10/24/03**

**SERVED 10/24/03**

Before Administrative Judges:

Thomas S. Moore, Chairman  
Dr. Charles N. Kelber  
Dr. Peter S. Lam

In the Matter of

DUKE COGEMA STONE & WEBSTER  
(Savannah River Mixed Oxide Fuel  
Fabrication Facility)

Docket No. 070-03098-ML

ASLBP No. 01-790-01-ML

October 24, 2003

ORDER

The October 16, 2003 motion of Georgians Against Nuclear Energy (GANE) to strike the October 8, 2003 reply of Duke Cogema Stone & Webster (DCS) to GANE's opposition to DCS's motion for summary disposition of contention 3 is denied. GANE's alternative request in the October 16, 2003 motion to file a surreply to DCS's October 8 reply is also denied.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>1</sup>

/RA/

\_\_\_\_\_  
Thomas S. Moore  
ADMINISTRATIVE JUDGE

Rockville, Maryland

October 24, 2003

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<sup>1</sup>Copies of this Order were sent this date by Internet e-mail transmission to (1) GANE; (2) BREDL; (3) DCS; and (4) the NRC Staff.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
DUKE COGEMA STONE & WEBSTER	)	Docket No. 70-3098-ML
	)	
(Savannah River Mixed Oxide Fuel	)	
Fabrication Facility)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER DATED OCTOBER 24, 2003 have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Thomas S. Moore, Chairman  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Charles N. Kelber  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Peter S. Lam  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

John T. Hull, Esq.  
Mitzi A. Young, Esq.  
Shelly D. Cole, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Donald J. Silverman, Esq.  
Steven P. Frantz, Esq.  
Marjan Mashhadi, Esq.  
Alex S. Polonsky, Esq.  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004

Docket No. 70-3098-ML  
LB ORDER DATED OCTOBER 24, 2003

Glenn Carroll  
Georgians Against Nuclear Energy  
P.O. Box 8574  
Atlanta, GA 30306

Donald J. Moniak  
Blue Ridge Environmental Defense League  
P.O. Box 3487  
Aiken, SC 29802

Diane Curran, Esq.  
Harmon, Curran, Spielberg  
& Eisenberg, L.L.P.  
1726 M Street, NW, Suite 600  
Washington, DC 20036

[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 24<sup>th</sup> day of October 2003