

January 20, 2004

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE SECRETARY

DOCKETED
USNRC

January 28, 2004 (11:00AM)

In the matter of

Nuclear Fuel Services, Inc.

(Materials License SNM-124)

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Docket No. 70-143

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

**UNOPPOSED MOTION BY FRIENDS OF THE NOLICHUCKY RIVER
VALLEY, STATE OF FRANKLIN GROUP OF THE SIERRA CLUB,
OAK RIDGE ENVIRONMENTAL PEACE ALLIANCE, AND
TENNESSEE ENVIRONMENTAL COUNCIL FOR EXTENSION OF TIME
TO FILE HEARING REQUEST**

Petitioners, Friends of the Nolichucky River Valley, the State of Franklin Group of the Sierra Club, Oak Ridge Environmental Peace Alliance, and Tennessee Environmental Council hereby request a ten-day extension of the time period for filing a request for a hearing on Nuclear Fuel Services' ("NFS's") third license amendment application for the proposed Blended Low Enrichment Uranium ("BLEU") Project. An opportunity to request a hearing was noticed at 68 Fed. Reg. 74,653 (December 24, 2003). Pursuant to the Federal Register notice, hearing requests are due by January 23, 2004. The requested extension would conform the deadline for Petitioners' hearing request to the deadline of February 2, 2004, which was established by the Secretary's Order of January 16, 2004.

The Secretary's Order partially granted a January 2, 2004, motion for an extension of the deadline by Kathy Helms-Hughes. Petitioners had also filed a Response

in support of Ms. Helms-Hughes' motion on January 6, 2004.¹ As discussed in their Response, Petitioners lost time in preparing a hearing request because the notice of opportunity to request a hearing was posted on December 24, 2003, on the eve of Christmas and a traditional week of holidays. In addition, Petitioners require additional time to review the voluminous license amendment application, including proprietary documents that Petitioners have arranged to obtain from NFS.²

Petitioners have consulted with counsel for NFS and the NRC Staff, who do not oppose this request.

Respectfully submitted,



Diane Curran
Harmon, Curran, Spielberg & Eisenberg, LLP
1726 M Street N.W., Suite 600
Washington, DC 20036
202/328-3500
FAX: 202/328-6918
e-mail: dcurran@harmoncurran.com

Dated: January 20, 2004

¹ Response By Friends Of The Nolichucky River Valley, State Of Franklin Group Of The Sierra Club, Oak Ridge Environmental Peace Alliance, And Tennessee Environmental Council In Support Of Kathy Helms-Hughes' Motion For Extension Of Time (hereinafter "Response").

² The timing of the notice of hearing on the eve of the holiday season affected all potential petitioners adversely. Thus, Petitioners' Response addressed the need for a general extension, and did not explicitly request an extension solely for Petitioners. Now that the Secretary has granted an extension to Ms. Helms-Hughes alone, Petitioners are making this request that the extension be granted to them as well.

CERTIFICATE OF SERVICE

I certify that on January 20, 2004, copies of MOTION BY FRIENDS OF THE NOLICHUCKY RIVER VALLEY, STATE OF FRANKLIN GROUP OF THE SIERRA CLUB, OAK RIDGE ENVIRONMENTAL PEACE ALLIANCE, AND TENNESSEE ENVIRONMENTAL COUNCIL FOR EXTENSION OF TIME TO FILE HEARING REQUEST were served on the following by first-class mail, and by e-mail if so designated:

Alan S. Rosenthal, Presiding Officer Atomic Safety and Licensing Board Mail Stop T-3 F23 U.S. Nuclear Regulatory Commission Washington, D.C. 20555 By e-mail to: rosnthl@aol.com Sam4@nrc.gov	Office of Appellate Adjudication U.S. Nuclear Regulatory Commission Washington, D.C. 20555
Richard F. Cole, Administrative Judge Atomic Safety and Licensing Board Mail Stop T-3 F23 U.S. Nuclear Regulatory Commission Washington, D.C. 20555 By e-mail to: rfe1@nrc.gov	Daryl Shapiro Shaw Pittman, LLP 2300 N Street N.W. Washington, D.C. 20037 By e-mail to: Daryl.Shapiro@shawpittman.com
Annette Vietti-Cook, Secretary U.S. Nuclear Regulatory Commission Washington, D.C. 20555 By e-mail to: hearingdocket@nrc.gov	C. Todd Chapman, Esq. King, King and Chapman, PLLC 125 South Main Street Greeneville, TN 37743 By e-mail to: chapman@xtn.net

Neil J. Newman, Esq. Nuclear Fuel Services 1205 Banner Hill Road Erwin, TN 37650-9718	Kathy Helms-Hughes P.O. Box 2394 For Defiance, AZ 86504 khelms@frontiernet.net
Marian L. Zobler, Esq. Office of General Counsel U.S. Nuclear Regulatory Commission Washington, D.C. 20555 By e-mail to: mlz@nrc.gov ceb4@nrc.gov	Louis Zeller Blue Ridge Environmental Defense League P.O. Box 88 Glendale Springs, NC 28629 By e-mail to: BREDL@skybest.com



Diane Curran