

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

March 16, 2004 (10:16AM)

ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

In matter of :  
CFC LOGISTICS, INC. : DOCKET NO. 30-36239-ML  
materials license application : ASLBP NO. 03-814-01-ML  
:

MOTION FOR EXTENSION

Intervenors respectfully request that the Board extend the time for their response from March 12 to March 17, and aver as the basis thereof the following:

1. The Board's schedule contemplated that the Staff would file a Brief on the prototype issue by February 27, and (as amended) that CFC could respond to the Staff Brief on March 5.

2. While CFC filed a Brief on March 5, it did not limit itself to commenting on the Staff Brief; instead, it set forth new claims, and was accompanied by affidavits and correspondence.

3. The intervenors forwarded the material to Marvin Resnikoff for technical evaluation, but Mr. Resnikoff is out of the country. Intervenors, therefore, do not expect to receive any information from Mr. Resnikoff until about Monday or Tuesday March 15 or 16.

4. Instead of providing the heating information, the Staff provided a website identification. Dr. Resnikoff had previously provided an affidavit stating that the information was not

available on the website, and therefore, without further information from Dr. Resnikoff, intervenors state, on information and belief, that Dr. Resnikoff will again not find the information referred to.

5. As a result of the foregoing, cumulatively, intervenors require a short extension.

6. The Prehearing Order of February 17, 2004 generously offered the option to request an extension to file to both the NRC Staff and the Company. (Order, p. 3 & fn. 5). Consequently, intervenors assume that the willingness to consider extension applies to them also.

6. No party will be prejudiced by the extension, and at least the NRC Staff has previously requested and been granted extensions.

WHEREFORE, interveners pray that the Board grant an extension for them to file their response until Wednesday March 17.



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ROBERT J. SUGARMAN  
Counsel for Intervenors

OF COUNSEL:

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100 North 17<sup>th</sup> Street  
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215-864-2500

DATED: March 11, 2004

CERTIFICATE OF SERVICE

I, Robert J. Sugarman, hereby certify that I have served a copy of the Motion for Extension by first-class mail, email, and facsimile on the following persons on this date:

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ROBERT J. SUGARMAN

DATED: March 11, 2004

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VIA ELECTRONIC MAIL, FACSIMILE AND U.S. FIRST CLASS MAIL

Administrative Judge Michael C. Farrar  
Presiding Officer  
Atomic Safety and Licensing Board Panel  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

U.S. Nuclear Regulatory Commission  
Office of the Secretary  
Attn: Rulemaking and Adjudications Staff  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852

RE: CFC Logistics, Inc.  
Docket No. 30-36239-ML  
ASLBP No. 03-814-01-ML

Dear Judge Farrar and Secretary:

Please find enclosed Motion for Extension in the above-captioned matter.

Thank you for your consideration.

Respectfully,



Robert J. Sugarman

Enclosure

cc: Stephen Lewis, Esquire  
Anthony Thompson, Esquire