

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Michael C. Farrar, Presiding Officer
Charles N. Kelber, Special Assistant

DOCKETED
USNRC

March 25, 2004 (9:24AM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of:
CFC Logistics, Inc.

(Materials License Application)

) Docket No.: 30-36239-ML
)
) ASLBP No.: 03-814-01-ML
)
) Date: March 22, 2004
)
) License Control No. 132825

**CFC LOGISTICS, INC.'S SECOND STATUS UPDATE REGARDING THE
PRESIDING OFFICER'S MARCH 16, 2004 ORDER**

In an attempt to solve the issues presented by Interveners in their March 15, 2004, Motion and to work toward an amicable solution to such issues, CFC Logistics, Inc. (CFC) has held internal discussions and discussions with relevant outside personnel to consider the reasons why the documents in CFC's March 5 and 12, 2004 submissions were labeled as confidential under the protective order.

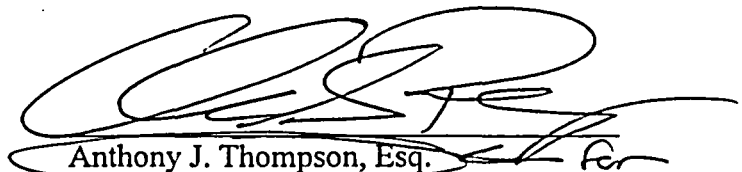
On March 19, 2004, CFC submitted a Status Update to the Presiding Officer stating that CFC had no objection to releasing its March 12, 2004, brief and its attachment from the protective order and that CFC had no objection to allowing Interveners a reasonable time extension to respond to the NRC Staff and CFC submissions. In addition, CFC also informed the Presiding Officer that it was attempting to secure the permission of REVISS Services, Ltd. (REVISS), CFC's "sealed source" supplier, to release the March 5, 2004, brief and all its attachments from the aforementioned protective order. In the interim,

CFC has held additional discussions with REVISS and, as a result of these discussions, we have reached the following conclusions:

1. CFC has no objection to releasing the brief and all attachments from CFC's March 12, 2004, submission regarding financial assurance from the protective order.
2. CFC has obtained permission from REVISS to release the brief and all the attachments from CFC's March 5, 2004, submission. Thus, CFC has no objection to Interveners' request to release such submission from the protective order.
3. CFC has no objection to granting Interveners a reasonable time extension to seek the opinion of its expert and to respond to the NRC Staff and CFC submissions.

CFC asserts that each of Interveners' concerns regarding the public availability of the aforementioned documents have been resolved. As a result, CFC respectfully requests that Interveners' withdraw their March 15, 2004, or, in the alternative, that the Presiding Officer deny Interveners' request for sanctions.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Chris Pugsley", is written over a horizontal line.

Anthony J. Thompson, Esq.
Christopher S. Pugsley, Esq.
Law Offices of Anthony J. Thompson, P.C.
1225 19th Street, NW
2nd Floor
Washington, DC 20036

COUNSEL FOR CFC LOGISTICS, INC.

**UNITED STATES OF AMERICA
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CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing CFC Logistics, Inc.'s Second Status Update Regarding the Presiding Officer's March 16, 2004 Order in the above-captioned matter has been served upon the following via electronic mail, facsimile and U.S. First Class Mail on this 22nd day of March, 2004.

1. Robert J. Sugarman, Esq.
Sugarman & Associates, P.C.
100 North 17th Street
Philadelphia, PA 19103
Facsimile: 215.864.2501
Email: RJSugarman@aol.com

2. Office of the Secretary
Attn: Rulemaking and
Adjudication Staff
U.S. Nuclear Regulatory
Commission
One White Flint North
11555 Rockville Pike
Rockville, MD 20851
Facsimile: 301.415.1101
Email: secy@nrc.gov

3. Stephen H. Lewis, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory
Commission
Mail Stop #0-15D21
Washington, DC 20555-0001
Facsimile: 301.415.3725
Email: shl@nrc.gov
4. Dr. Charles N. Kelber
Special Assistant
Atomic Safety and Licensing Board
Panel
Mail Stop – T-3 F23
U.S. Nuclear Regulatory
Commission
Washington, DC 20555-0001
Facsimile: 301.415.5599
Email: cnk@nrc.gov
5. Atomic Safety and Licensing Board
Panel
U.S. Nuclear Regulatory
Commission
Washington, DC 20555
Facsimile: 301-415-5599
6. Administrative Judge Michael C. Farrar
Presiding Officer
Atomic Safety and Licensing Board
Panel
U.S. Nuclear Regulatory Commission
Mail Stop #T-3 F23
Washington DC 20555-0001
Facsimile: 301-415-5599
Email: mcf@nrc.gov
7. Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
8. Administrative Judge Paul Abramson
Settlement Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop #T-3 F23
Washington, DC 20555-0001
Email: PBA@nrc.gov



Anthony J. Thompson, Esq.
Christopher S. Pugsley, Esq.
Law Offices of Anthony J. Thompson, P.C.
1225 19th Street, N.W., 2nd Floor
Washington, DC 20036
(202) 496-0780
Facsimile: (202) 496-0783
Email: ajthompson@athompsonlaw.com

Law Offices of Anthony J. Thompson, P.C.

1225 19th Street, NW., Suite 200
Washington, DC 20036
202-496-0780
Fax 202-496-0783
(e-mail): ajthompson@athompsonlaw.com

March 22, 2004

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

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

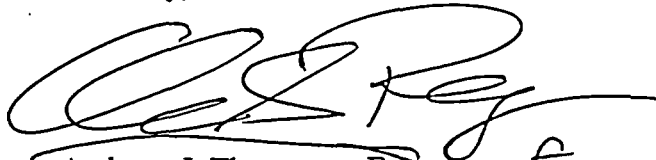
Re: In the Matter of: CFC Logistics, Inc.
Docket No: 3036239-ML
ASLBP No. 03-814-01-ML
License No. 132825

Dear Sir or Madam:

Please find attached for filing CFC Logistics, Inc.'s Second Status Update Regarding the Presiding Officer's March 16, 2004 Order in the above-captioned matter. Copies of the enclosed have been served on the parties indicated on the enclosed certificate of service. Additionally, please return a file-stamped copy in the self-addressed, postage prepaid envelope attached herewith.

If you have any questions, please feel free to contact me at (202) 496-0780.
Thank you for your time and consideration in this matter.

Sincerely,



Anthony J. Thompson, Esq. *for*
Christopher S. Pugsley, Esq.
Law Offices of Anthony J. Thompson, P.C.
Counsel of Record to IUSA

Enclosures
(CFCCOVERLETTER1.DOC)