

February 10, 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	Docket No. 40-8838-MLA
U.S. ARMY)	
)	
(Jefferson Proving Ground Site))	

JOINT MOTION FOR CLARIFICATION OF HEARING-RELATED
PROCEDURAL OBLIGATIONS

On February 2, 2006, the Atomic Safety and Licensing Board ("Board") granted Save the Valley's ("Intervenor's") request for a hearing in this proceeding and deferred the hearing until the completion of the Staff's technical review. See Memorandum and Order (Granting Hearing Request and Deferring Hearing), LBP-06-06, 63 NRC ___, slip op. (February 2, 2006) (hereinafter "Order"). The Board also deferred the Staff's obligations to submit a hearing file under 10 C.F.R. § 2.1203. *Id.* at 26 n.26.

After consultation, the Staff, Intervenor, and Licensee seek to clarify whether the Order also postpones other related time-sensitive hearing obligations that would apply to all parties as a result of the issuance of the Order. These obligations are the disclosures required by 10 C.F.R. § 2.336, as well as the deadline set by § 2.1206 for the parties to make a decision

whether to request a written hearing. Therefore, pursuant to 10 C.F.R. § 2.323, the parties hereby move for clarification of whether those procedural obligations have also been deferred.¹

Respectfully submitted,

/RA/

Patrick A. Moulding
Counsel for NRC Staff

[Original Signed by PAM for]

Michael A. Mullett
Counsel for Save the Valley, Inc.

[Original Signed by PAM for]

John J. Welling
Counsel for
U.S. Army Garrison – Rock Island Arsenal

Dated at Rockville, Maryland
this 10th day of February, 2006

¹ Counsel for Intervenor and Licensee have authorized Staff counsel to sign this motion on their behalf.

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CERTIFICATE OF SERVICE

I hereby certify that copies of "JOINT MOTION FOR CLARIFICATION OF HEARING-RELATED PROCEDURAL OBLIGATIONS" in the above captioned proceeding have been served on the following by electronic mail, with copies deposited in the Nuclear Regulatory Commission's internal mail system, as indicated by a single asterisk, or sent by U.S. Mail, first class, as indicated by a double asterisk, this 10th day of February, 2006.

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