

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

James P. Gleason, Chairman  
Dr. Jerry R. Kline  
G. Paul Bollwerk, III  
Thomas D. Murphy

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In the Matter of

SEQUOYAH FUELS CORPORATION  
and GENERAL ATOMICS

(Gore, Oklahoma Site  
Decontamination and  
Decommissioning Funding)

Docket No. 40-8027-EA

Source Material License  
No. SUB-1010

ASLBP No. 94-684-01-EA

April 28, 1994

ORDER

(Denial of Motions for Summary Disposition, Order of  
Dismissal, Stay Discovery and Leave to File Reply)

The parties to this proceeding are herein notified that the Board denies General Atomics' motion for summary disposition or an order of dismissal, including its request for oral argument; its motion to stay discovery; and its motion for leave to reply to responses filed by the NRC Staff and Native Americans for a Clean Environment. The reasons supporting this decision will be detailed in a subsequent memorandum and order on the motion for summary disposition. The parties to the proceeding should commence discovery proceedings immediately.

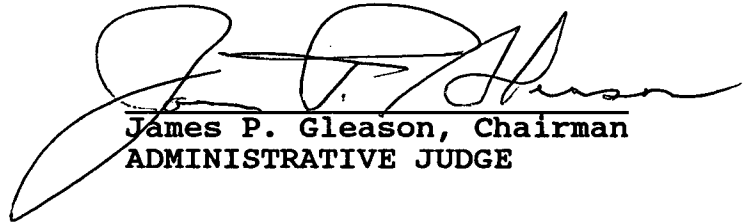
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Judge Bollwerk would have granted General Atomics' motion for leave to reply and does not join in the denial of its motion for summary disposition or an order of dismissal.

It is so ORDERED.



James P. Gleason, Chairman  
ADMINISTRATIVE JUDGE

Bethesda, Maryland

April 28, 1994

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of  
  
SEQUOYAH FUELS CORPORATION  
  
(Sequoyah Facility)

Docket No.(s) 40-8027-EA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (DENIAL OF MOTIONS..) have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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Washington, DC 20555

Administrative Judge  
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Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
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Administrative Judge  
Jerry R. Kline  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

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Docket No.(s)40-8027-EA  
LB ORDER (DENIAL OF MOTIONS..)

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Dated at Rockville, Md. this  
29 day of April 1994

  
Office of the Secretary of the Commission