

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'96 MAY 14 A11:56

Before Administrative Judges:

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

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Thomas D. Murphy  
Alternate Board Member

**SERVED MAY 14 1996**

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

May 14, 1996

ORDER  
(Granting Additional Stay  
of Discovery)

Upon consideration of the May 6, 1996 NRC staff/General  
Atomics (GA) joint motion for extension of the stay of  
discovery, and there being no opposition thereto from  
intervenors Native Americans for a Clean Environment (NACE)  
and the Cherokee Nation,<sup>1</sup> it is

ORDERED, that the joint motion for extension of the  
discovery stay is granted; and it is

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<sup>1</sup> By letter to the Board Chairman dated May 7, 1996,  
counsel for intervenors NACE and the Cherokee Nation  
informed the Board that although intervenors do not object  
to the May 6, 1996 staff/GA joint discovery stay extension  
request, absent extraordinary circumstances intervenors  
would object to any further stay requests.

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FURTHER ORDERED, that all discovery activities suspended in accordance with the Board's prior discovery stay orders will continue to be stayed through Friday, June 14, 1996; and it is

FURTHER ORDERED, that if the staff and GA want an additional stay of discovery beyond June 14, 1996, on or before Monday, June 3, 1996, the staff and GA shall file a motion requesting a stay extension that addresses both the factors of "significant progress" and substantial prejudice outlined in the Board's November 13 and December 8, 1995 issuances; and it is

FURTHER ORDERED, that intervenors NACE and the Cherokee Nation shall have up to and including Friday, June 7, 1996, within which to file a response to a staff/GA request for a further stay extension; and it is

FURTHER ORDERED, that if either the staff or GA informs the Board that it does not wish to continue settlement negotiations, the stay entered by this order shall be terminated immediately; and it is

FURTHER ORDERED, that if the stay extended by this order is terminated for any reason, all discovery activities shall recommence within five days of the date of termination under the same schedule that was in effect prior to entry of the Board's initial August 30, 1995 stay order;<sup>2</sup> and it is

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<sup>2</sup> For example, if on the date of the Board's August 30,  
(continued...)

FURTHER ORDERED, that if the stay extended by this order is terminated for any reason the discovery completion date for this phase of the proceeding will be the date that is sixteen days from the date of the termination of the stay; and it is

FURTHER ORDERED, that besides service by regular mail, copies of any staff/GA stay extension motion or stay termination declaration, or any response to a staff/GA stay extension motion shall be sent to the Office of the Secretary, the Board, and counsel for the other parties before the Board by facsimile transmission or other means

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(...continued)

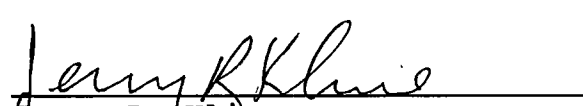
1995 order a party had three days remaining within which to answer certain interrogatories, that party would have eight days after the stay is terminated to answer the interrogatories. Any activities that were due to be completed before the August 30, 1995 order was entered but were delayed because of the pendency of the initial stay request are due within five days of termination of the stay. The parties previously have recognized that depositions scheduled but delayed by the discovery stay will have to be rescheduled by the new discovery completion date established under this order.

that will ensure its receipt by 4:30 p.m. EDT on the day of filing.

THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>3</sup>



James P. Gleason, Chairman  
ADMINISTRATIVE JUDGE



Jerry R. Kline  
ADMINISTRATIVE JUDGE



G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland

May 14, 1996

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<sup>3</sup> Copies of this order are being sent this date to counsel for GA, NACE, and the Cherokee Nation by facsimile transmission and to staff counsel by E-mail transmission through the agency's wide area network system.