

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'96 APR 10 P1:06

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 APR 10 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

April 10, 1996

ORDER
(Granting Additional Stay
of Discovery)

Upon consideration of the April 1, 1996 NRC
staff/General Atomics (GA) joint motion for extension of the
stay of discovery, and there being no opposition thereto, it
is

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

FURTHER ORDERED, that all discovery activities
suspended in accordance with the Board's prior discovery
stay orders will continue to be stayed through Wednesday,
May 15, 1996; and it is

FURTHER ORDERED, that if GA and the staff want an
additional stay of discovery beyond May 15, 1996, on or

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before Monday, May 6, 1996, GA and the staff 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 Native Americans for a Clean Environment (NACE) and the Cherokee Nation shall have up to and including Friday, May 10, 1996, within which to file a response to a GA/staff request for a further stay extension; and it is

FURTHER ORDERED, that if either GA or the staff 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;¹ and it is

¹ For example, if on the date of the Board's August 30, 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
(continued...)

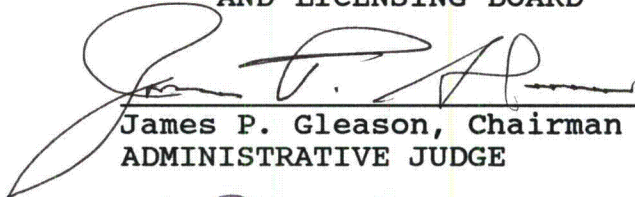
FURTHER ORDERED, that if the stay extended by this order is terminated for any reason the discovery completion date for this phase of the proceeding will be the date that is sixteen days from the date of the termination of the stay; and it is

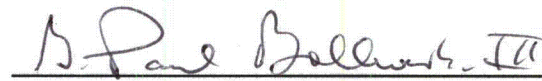
FURTHER ORDERED, that besides service by regular mail, copies of any GA/staff stay extension motion or stay termination declaration, or any response to a GA/staff stay extension motion shall be sent to the Office of the Secretary, the Board, and counsel for the other parties before the Board by facsimile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

(...continued)
under this order.

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

THE ATOMIC SAFETY
AND LICENSING BOARD²


James P. Gleason, Chairman
ADMINISTRATIVE JUDGE


G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

April 10, 1996

² Judge Kline was not available to review this order.

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.

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tion and Decommissioning Funding)

Docket No.(s) 40-8027-EA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (GRANTING ADD'L STAY) 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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Docket No.(s)40-8027-EA
LB ORDER (GRANTING ADD'L STAY)

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Dated at Rockville, Md. this
10 day of April 1996

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