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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING APPEAL BOARD

'95 MAY 15 P12:19

In the Matter of )  
 )  
GEORGIA INSTITUTE OF )  
TECHNOLOGY, )  
Atlanta, Georgia )  
 )  
Georgia Tech Research Reactor )  
 )  
(Renewal of Facility License )  
No. R-97) )

Docket No. 50-160-Ren OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

ASLBP No. 95-704-01-Ren

May 11, 1995

GEORGIA INSTITUTE OF TECHNOLOGY'S NOTICE OF APPEAL FROM  
THE ASLB'S MEMORANDUM AND ORDER DATED APRIL 26, 1995  
AND REQUEST TO STAY DISCOVERY

The Georgia Institute of Technology (Georgia Tech) hereby notices its appeal from the Atomic Safety and Licensing Board's Memorandum & Order dated April 26, 1995. In accordance with 10 C.F.R. § 2.714a, Georgia Tech submits the accompanying supporting brief for this appeal.

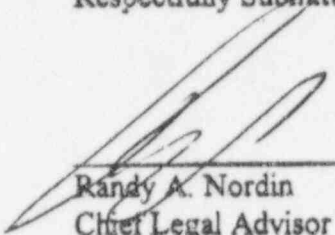
Georgia Tech requests that this Board enter a stay of discovery pending the resolution of this appeal. The need for a stay of discovery is exigent here, because in a teleconference on May 8, 1995, Judge Bechhoefer stated his intent to permit the petitioner to discover the security arrangements for the GTRR, including the plans developed for the Olympic Games in Atlanta in 1996. This discovery relates to the petitioner's contention that security for the GTRR during the Olympics is inadequate -- a contention that the Board admitted over the cogent dissent by Judge Kline. The

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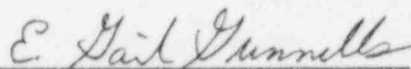
Commission's regulations (10 C.F.R. § 50.13), its recent decision in 59 Fed. Reg. 38889 (Protection Against Malevolent Use of Vehicles - Nuclear Power Plants), common sense, and indeed the safety of the GTRR in light of recent events in Oklahoma indicate that discovery should be stayed until this Board has had an opportunity to consider this appeal.

Respectfully Submitted,



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Randy A. Nordin  
Chief Legal Advisor  
Georgia Institute of Technology



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E. Gail Gunnells  
Deputy Chief Legal Advisor  
Georgia Institute of Technology

Dated at Atlanta, Georgia  
this 11th day of May, 1995