

Administrative Judge  
Alan S. Rosenthal, Presiding Officer  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3F23  
Washington, D.C. 20555

Administrative Judge  
Richard F. Cole, Special Assistant  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3F23  
Washington, D.C. 20555

In the Matter of  
NUCLEAR FUEL SERVICES, INC.  
(Material License Amendment)  
Docket No. 70-143-MLA

Dear Administrative Judges:

Pursuant to 10 C.F.R. § 2.1213, the Nuclear Regulatory Commission (NRC) Staff is required to notify the Presiding Officer within 10 days of the designation of the Presiding Officer whether the Staff intends to participate as a party to the adjudication. Five separate hearing requests were filed by: 1) Blue Ridge Environmental Defense League (BREDL);<sup>1</sup> 2) Oak Ridge Environmental Peace Alliance (OREPA), Tennessee Environmental Council (TEC), State of Franklin Group of the Sierra Club (Sierra Club), and Friends of the Nolichucky River Valley (FONRV);<sup>2</sup> 3) David Wallack;<sup>3</sup> 4) Trudy L. Wallack;<sup>4</sup> 5) Julia Beach, David Byrd, Tamara Davis Chapman, William Cooper, Brandon Davis, Julia B. Evans, Denne D. Evans, Toni L. Foreman, Linnea Gilmer, JoAnna Hammonds, Whitney Johnson, Gerald M O'Connor, Jr., James Smith, Drew Walsh, and Peter Zars,<sup>5</sup> concerning the amendment requested by Nuclear Fuel Services

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<sup>1</sup> The Request of Blue Ridge Environmental Defense League for a Hearing on a License Amendment for Nuclear Fuel Services (August 8, 2002).

<sup>2</sup> Oak Ridge Environmental Peace Alliance (OREPA), Tennessee Environmental Council (TEC), State of Franklin Group of the Sierra Club (Sierra Club), and Friends of the Nolichucky River Valley (FONRV) filed a single hearing request on behalf of all the organizations. Request for Hearing by Oak Ridge Environmental Peace Alliance, Tennessee Environmental Council, The State of Franklin Group/Sierra Club, Friends of the Nolichucky River Valley (August 8, 2002).

<sup>3</sup> Letter from David Wallack, to NRC (August 6, 2002).

<sup>4</sup> Letter from Trudy L. Wallack, to NRC, (August 7, 2002).

<sup>5</sup> Julia Beach, David Byrd, Tamara Davis Chapman, William Cooper, Brandon Davis, Julia B. Evans, Denne D. Evans, Toni L. Foreman, Linnea Gilmer, JoAnna Hammonds, Whitney Johnson, Gerald M O'Connor, Jr., James Smith, Drew Walsh, and Peter Zars, collectively submitted requests for hearing through the same attorney. Letter from C. Todd Chapman, Esq., to NRC (August 8, 2002).

(NFS) seeking authorization for construction and operation of the Uranyl Nitrate Storage Building at the NFS site in Erwin, Tennessee. The Staff prepared an Environmental Assessment (EA) on the license amendment and made a Finding of No Significant Impact (FONSI) in support of the action. See 67 Fed. Reg. 45,555, 45,558 (July 9, 2002).

Pursuant to 10 C.F.R. § 2.1213, the Staff hereby notifies you that it does not plan to participate as a party in the adjudicatory proceeding. As requested by the Presiding Officer in his September 11, 2002 Memorandum and Order, the Staff will respond to the issues raised in that order by September 19, 2002.

Sincerely,

***/RA/***

Jennifer Euchner  
Counsel for NRC Staff

***/RA/***

David Cummings  
Counsel for NRC Staff

cc: C. Todd Chapman, Esq.  
Louis Zeller  
Park Overall  
Atomic Safety and Licensing Board Panel  
Neil J. Newman

David Wallack  
Trudy L. Wallack  
Daryl M. Shapiro  
Office of the Secretary

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
NUCLEAR FUEL SERVICES, INC. ) Docket No. 70-143-MLA  
 )  
(Materials License Amendment) )

NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney enters an appearance in the above-captioned matter. In accordance with 10 C.F.R. § 2.713(b) the following information is provided.

Name of Attorney: Jennifer M. Euchner  
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Admissions: Court of Appeals of Maryland  
Name of Party: NRC Staff

Respectfully submitted,

***/RA/***

Jennifer M. Euchner  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 13<sup>th</sup> day of September, 2002

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney enters an appearance in the above-captioned matter. In accordance with 10 C.F.R. § 2.713(b) the following information is provided.

Name of Attorney: David A. Cummings  
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Admissions: District of Columbia  
Name of Party: NRC Staff

Respectfully submitted,

***/RA/***

David A. Cummings  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 13<sup>th</sup> day of September, 2001