

February 14, 2005

Thomas S. Moore, Chairman
Administrative Judge
U. S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop: T-3 F23
Washington, D.C. 20555

Charles N. Kelber
Administrative Judge
U. S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop: T-3 F23
Washington, D.C. 20555

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

In the Matter of
DUKE COGEMA STONE & WEBSTER (DCS)
(Mixed Oxide (MOX) Fuel Fabrication Facility, Construction Authorization Request)
Docket No. 70-3098-ML

Dear Administrative Judges:

Late last week, the Staff announced a delay in the issuance of its final safety evaluation report (FSER) for the construction of the proposed MOX facility. The Staff now expects to issue the FSER on March 31, 2005. The delay is related to the need to screen documents for sensitive information.

Sincerely,

/RA/

John T. Hull
Counsel for NRC Staff

cc: Donald J. Silverman, Esq.
Glenn Carroll, GANE
Louis A. Zeller, BREDL
Diane Curran, Esq.
Office of the Secretary
Office of Commission Appellate Adjudication