

1.0 GENERAL INFORMATION

1.2 INSTITUTIONAL INFORMATION

1.2.1 CONDUCT OF REVIEW

This chapter of the revised draft Safety Evaluation Report contains the staff's review of institutional information described by the applicant in Chapter 1 of the revised Construction Authorization Request (CAR). The staff used Chapter 1 in NUREG-1718, "Standard Review Plan for the Review of an Application for a Mixed Oxide (MOX) Fuel Fabrication Facility," (Reference 1.2.3.1) as guidance in performing the review. The staff evaluated the institutional information provided by the applicant by reviewing Chapter 1 of the revised CAR, other sections of the revised CAR, and supplementary information provided by the applicant (References 1.2.3.2 and 1.2.3.3).

1.2.1.1 Corporate Identity

The applicant for the proposed Mixed Oxide (MOX) Fuel Fabrication Facility (MFFF or the facility) is Duke Cogema Stone & Webster (DCS), a consortium of Duke Project Services Group, Inc. (DPSG), COGEMA, and Stone & Webster, Inc. The applicant is a limited liability company registered in the State of South Carolina and its principal offices are located in Charlotte, North Carolina.

The applicant is proposing to construct the facility at the U.S. Department of Energy's (DOE's) Savannah River Site (SRS) near Aiken, South Carolina. This facility will produce MOX fuel from weapons-grade plutonium and depleted uranium using processes adapted from existing plants in France. Licensed activities will involve an aqueous polishing process intended to remove impurities from the feed plutonium and fuel fabrication processes that include material mixing and blending, pelletizing, sintering, and fuel rod loading and inspection. The fuel is intended for use in commercial reactors in the United States.

The applicant provided the names of its principal corporate officers, all of whom are United States citizens. The applicant is using technical support from other companies in the design of the proposed facility. These companies include Belgonucleaire, SGN (a subsidiary of COGEMA), Framatome ANP, and Nuclear Fuel Services, Inc. The applicant also plans to use other contractors at the site, but these contractors have not yet been selected (References 1.2.3.2 and 1.2.3.3).

1.2.1.2 Foreign Ownership, Control, or Influence

COGEMA, a French company, owns 30 percent of DCS. The remainder of the corporation is owned by DPSG (40 percent) and Stone & Webster, Inc. (30 percent), which are both United States companies. The U.S. Nuclear Regulatory Commission (NRC) has confirmed that the applicant was rendered a favorable foreign ownership, control, or influence determination (FOCI) on March 12, 1999, by the DOE. In addition, favorable FOCI determinations were made by DOE for DPSG on June 10, 2002, and for Stone & Webster by the Department of Defense. The NRC accepts DOE FOCI determinations based on a Memorandum of Understanding between NRC and DOE dated October 9, 1996.

1.2.1.3 Proposed License Information

The applicant provided information on its proposed operations and the type of license (including possession limits) it will later be requesting. The applicant is requesting authorization to construct a MOX Fuel Fabrication Facility under 10 CFR Part 70 that would possess the following materials:

***Table removed under 10 CFR 2.390.**

The term of the license to be requested is 20 years.

The applicant also identified special exemptions to be requested related to decommissioning funding and financial protection under the Price Anderson Act. These exemptions will be requested as part of the application for a special nuclear materials (SNM) possession and use license.

1.2.2 EVALUATION FINDINGS

The staff evaluated the institutional information for approval to construct a MOX fuel fabrication facility at the SRS in South Carolina according to Section 1.2 of NUREG-1718 (Reference 1.2.3.1). This institutional information identifies the applicant's corporate structure, favorable FOCI determinations, proposed license possession limits, and special exemptions to be requested in the SNM possession and use license application. This information is complete and accurate, is consistent with the recommendations in NUREG-1718 (Reference 1.2.3.1), and is, therefore, acceptable.

1.2.3 REFERENCES

- 1.2.3.1 Nuclear Regulatory Commission (U.S.) (NRC). NUREG-1718, "Standard Review Plan for the Review of an Application for a Mixed Oxide (MOX) Fuel Fabrication Facility." NRC: Washington, D.C. August 2000.
- 1.2.3.2 Hastings, P., Duke Cogema Stone & Webster, letter to U.S. Nuclear Regulatory Commission, RE Clarification of Responses to NRC Request for Additional Information, April 23, 2002.
- 1.2.3.3 Hastings, P., Duke Cogema Stone & Webster, letter to U.S. Nuclear Regulatory Commission, Requests for Additional Information, Clarifications, and Open Item Mapping into the Construction Authorization Request Revision, November 22, 2002.

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