

March 30, 2005

Mr. Larry R. Barnes, President and COO
Duke Cogema Stone & Webster
P.O. Box 31847, M/S FC21A
Charlotte, NC 28231-1847

SUBJECT: CONSTRUCTION AUTHORIZATION AND FINAL SAFETY EVALUATION
REPORT FOR CONSTRUCTION OF THE MIXED OXIDE FUEL FABRICATION
FACILITY

Dear Mr. Barnes:

The U.S. Nuclear Regulatory Commission (NRC) is issuing Construction Authorization No. CAMOX-001 (Enclosure 1) to Duke Cogema Stone & Webster, on the basis of our review of your construction authorization request dated October 31, 2002 (as subsequently revised). Construction Authorization No. CAMOX-001 (CA) expires at midnight, March 30, 2015.

The technical basis for issuing the CA is set forth in NUREG-1821, "Final Safety Evaluation Report on the Construction Authorization Request for the Mixed Oxide Fuel Fabrication Facility at the Savannah River Site, South Carolina" (FSER) (Enclosure 2). The FSER is being issued concurrently with the CA, but in redacted form. On October 25, 2004, the NRC had suspended public access to the ADAMS online library and some other parts of its Web site to review documents and remove any that could reasonably be expected to aid a potential terrorist. Related to this effort, the NRC is withholding some portions of the FSER which are deemed to contain sensitive information under 10 CFR 2.390.

The results of the environmental review related to the issuance of the CA are contained in NUREG-1767, "Final Environmental Impact Statement on the Construction and Operation of a Proposed Mixed Oxide Fuel Fabrication Facility at the Savannah River Site, South Carolina" (ADAMS Accession Nos. ML050240233 and ML050240250), a redacted copy of which was published in January 2005.

Enclosure 3 is a copy of the *Federal Register* notice announcing issuance of the CA. The original notice has been sent to the Office of the Federal Register for publication.

L. Barnes

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A copy of this letter, the enclosed CA, and the redacted FSER are being placed in ADAMS and will be available in the NRC Public Document Room. If you have any questions, please contact Mr. David Brown at (301) 415-5257.

Sincerely,

/RA/

Jack R. Strosnider, Director
Office of Nuclear Material Safety
and Safeguards

Docket: 70-3098

Enclosures:

1. Construction Authorization
2. Final Safety Evaluation Report (redacted)
3. *Federal Register* notice announcing issuance of the CA

cc: Peter S. Hastings, DCS

Kenneth L. Ashe, DCS

James Johnson, DOE

Henry Porter, South Carolina DHEC

Lou Zeller, BREDL

Glenn Carroll, GANE

Diane Curran, Esq., GANE

D. Silverman, Esq. DCS

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ML050660390

OFC	SPB		Tech ed		SPB		SPB		SPB	
NAME	DBrown: bkh1		EKraus		LMarshall		SMagruder		JGitter	
DATE	03/8/05		03/8/05		03/8/05		03/8/05		03/9/05	
OFC	FCSS		OGC		NSIR		NSIR		NMSS	
NAME	RPierson		JHull		LSilvious		RCaldwell		JStrosnider	
DATE	03/9/05		03/21/05		03/9/05		03/9/05		03/30/05	

OFFICIAL RECORD COPY

Enclosure 1
Construction Authorization

Enclosure 2
Final Safety Evaluation Report (redacted)

Enclosure 3:
Federal Register notice announcing issuance of
the CA