



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 12, 2005

SECRETARY

RAS 10442

DOCKETED 09/13/05
SERVED 09/13/05

MEMORANDUM TO: Board and Parties
DUKE COGEMA STONE & WEBSTER
Savannah River Mixed Oxide Fuel Fabrication Facility
Docket No. 070-03098-ML

SUBJECT: ORDER TERMINATING PROCEEDING
(LBP-05-15)

This is to inform you that the time provided by NRC regulation within which the Commission may act to review the decision of the Atomic Safety and Licensing Board (LBP-05-15) in this docket has expired. The Commission has declined review of this decision. Accordingly, the decision became final agency action on August 29, 2005.

/RA/

Annette L. Vietti-Cook

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
DUKE COGEMA STONE & WEBSTER) Docket No. 70-3098-ML
)
(Savannah River Mixed Oxide Fuel)
Fabrication Facility))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing SECY MEMORANDUM TO BOARD AND PARTIES RE LBP-05-15 have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Docket No. 70-3098-ML
SECY MEMORANDUM TO BOARD AND PARTIES
RE LBP-05-15

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 13th day of September 2005