

October 5, 2007

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
SHIELDALLOY METALLURGICAL CORP. ) Docket No. 40-7102-MLA  
 )  
(Licensing Amendment Request for )  
Decommissioning of the )  
Newfield, New Jersey Facility) )

NRC STAFF'S THIRD STATUS REPORT

In its Memorandum and Order dated May 8, 2007, the Board directed the NRC Staff to file bimonthly reports regarding its review of Shieldalloy Metallurgical Corporation's plan for decommissioning its Newfield, New Jersey facility.<sup>1</sup> Pursuant to the Board's Order, the Staff submits its Third Status Report.

By letter dated July 5, 2007, the Staff transmitted 73 safety-related requests for additional information (RAIs) to Shieldalloy and requested that Shieldalloy provide its responses within 120 days. The Staff held teleconferences with Shieldalloy in August, September, and October 2007, to ensure it had a clear understanding of the RAIs. The Intervenor, the New Jersey Department of Environmental Protection, participated in these teleconferences. The Staff is presently awaiting responses to the RAIs, and those responses may have a bearing on the estimates given below.

The Staff also continues to work with its contractor, Ecology & Environment, in its environmental review of the DP. As stated in the Second Status Report, the Staff has been

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<sup>1</sup> "Memorandum and Order (Directing the Filing of Status Reports), May 8, 2007 (ADAMS ML071280297). The Board directed the Staff to file its first report no later than June 8, 2007 and subsequent reports no later than the end of the first full week of the month when due under the bimonthly schedule. *Id.* The reports are to contain "(1) a brief statement regarding the then status of the technical review; and (2) the Staff's then best estimate as to the completion date of the review and the release of the documents associated with it." *Id.*

reviewing draft versions of several chapters of the Environmental Impact Statement (EIS) prepared by Ecology & Environment.

Also as stated previously, the Staff anticipates holding a public meeting on its draft EIS in Newfield, New Jersey, no later than April 2008. The Staff will place notice of this meeting in the Federal Register and contact local media as the Staff nears completion of its draft EIS.

The following schedule provides the Staff's current best estimates as to when its review will be completed and when associated documents will be released. These estimates are the same as those stated in the Staff's Second Status Report. However, these estimates may change depending on the RAI responses the Staff receives from Shieldalloy.

- Shieldalloy's Response to Safety RAIs Due (120-day Response Period)  
*November 2007*
- Staff Completes Final Safety Evaluation Report  
*February 2008*
- Staff Publishes Draft EIS (45-day Public Comment Period Begins)  
*April 2008*
- Staff Holds Public Meeting on Draft EIS  
*April 2008*
- 45-day Public Comment Period on Draft EIS Ends  
*May 2008*
- Staff Issues Final EIS  
*November 2008*

The staff will provide the Board and the parties with updated estimates of these dates no later than December 7, 2007, the next date set by the Board's May 8, 2007 Order.

Respectfully submitted,

**/RA/**  
Michael J. Clark  
Counsel for the NRC Staff

Dated at Rockville, Maryland  
this 5<sup>th</sup> day of October, 2007

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S THIRD STATUS REPORT" in the above captioned proceeding have been served on the following persons by deposit in the United States Mail; through deposit in the Nuclear Regulatory Commission internal mail system as indicated by an asterisk(\*); and by electronic mail as indicated by a double asterisk (\*\*) on this 5<sup>th</sup> day of October, 2007.

Alan S. Rosenthal, Chair \* \*\*  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
Mail Stop – T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
E-mail: [rsnthl@comcast.net](mailto:rsnthl@comcast.net)

William Reed \* \*\*  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
Mail Stop – T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
E-mail: [whrcville@earthlink.net](mailto:whrcville@earthlink.net)

Richard E. Wardwell \* \*\*  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
Mail Stop – T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
E-mail: [rew@nrc.gov](mailto:rew@nrc.gov)

Adjudicatory File \*  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3 F23  
Washington, D.C. 20555

Office of Commission Appellate  
Adjudication \* \*\*  
U.S. Nuclear Regulatory Commission  
Mail Stop: O-16 C1  
Washington, D.C. 20555  
E-mail: [OCAAMail@nrc.gov](mailto:OCAAMail@nrc.gov)

Office of the Secretary \* \*\*  
Attn: Rulemaking and Adjudications Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop: O-16 C1  
Washington, D.C. 20555  
E-mail: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

David R. Smith, Radiation Safety Officer  
Sheildalloy Metallurgical Corporation  
12 West Boulevard  
P.O. Box 768  
Newfield, NJ 08344-0768

Stuart Rabner, Esq.  
Attorney General of New Jersey  
Andrew W. Reese, Esq. \*\*  
Keneth Elwell, Esq. \*\*  
Deputy Attorneys General  
New Jersey Office of the Attorney General  
Department of Law and Public Safety  
25 Market Street  
P.O. Box 093  
Trenton, NJ 08625  
E-mail: [reeseand@dol.lps.state.nj.us](mailto:reeseand@dol.lps.state.nj.us)  
[Kenneth.elwell@dol.lps.state.nj.us](mailto:Kenneth.elwell@dol.lps.state.nj.us)

Johanna Thibault, Law Clerk \* \*\*  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C.  
20555-0001  
E-mail: [jjl5@nrc.gov](mailto:jjl5@nrc.gov)

Jay E. Silberg \*\*  
Matias Travieso-Diaz \*\*  
R. Budd Haemer \*\*  
Pillsbury Winthrop Shaw Pittman, LLP  
2300 N St. NW  
Washington, DC 20037  
E-mail: [jay.silberg@pillsburylaw.com](mailto:jay.silberg@pillsburylaw.com)  
[matias.travieso-diaz@pillsburylaw.com](mailto:matias.travieso-diaz@pillsburylaw.com)  
[robert.haemer@pillsburylaw.com](mailto:robert.haemer@pillsburylaw.com)

SherVerne R. Cloyd \* \*\*  
Atomic Safety and Licensing Board Panel  
Mail Stop – T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
E-mail: [src2@nrc.gov](mailto:src2@nrc.gov)

**/RA/**

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Michael J. Clark  
Counsel for the NRC Staff