

December 7, 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 FOURTH 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.¹ Pursuant to the Board's Order, the Staff submits its Fourth Status Report.

On July 5, 2007, the Staff transmitted to Shieldalloy 73 safety-related requests for additional information (RAIs). Shieldalloy responded to the RAIs in documents submitted November 9, 2007.² The Staff is presently reviewing Shieldalloy's response. In its response, Shieldalloy also informed the Staff that it will be forwarding a revision to the DP, Rev. 1b, by May 16, 2008. Shieldalloy states that Rev. 1b will provide additional information to support its RAI response.

Shieldalloy's decision to revise its DP affects the Staff's review of the DP, as well as the release dates for documents associated with that review. Taking into account Shieldalloy's

¹ Memorandum and Order (Directing the Filing of Status Reports) (May 8, 2007) (unpublished) at 2. 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.*

² "Shieldalloy Metallurgical Corporation Response to the USNRC's Request for Additional Information of July 5, 2007" (November 9, 2007) (ADAMS ML073321281).

intention to submit Rev. 1b of the DP by May 16, 2008, 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. Each estimate is six months later than the date given in the Staff's Third Status Report, except that the estimate for release of the Final Safety Evaluation Report is seven months later. These estimates may change depending on the content of Rev. 1b.

- Shieldalloy Submits Rev. 1b
May 2008
- Staff Completes Final Safety Evaluation Report
September 2008
- Staff Publishes Draft Environmental Impact Statement (EIS) (45-day Public Comment Period Begins)
October 2008
- Staff Holds Public Meeting on Draft EIS
October 2008
- 45-day Public Comment Period on Draft EIS Ends
November 2008
- Staff Issues Final EIS
May 2009

The staff will provide the Board and the parties with updated estimates no later than February 8, 2008, 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 7th day of December, 2007

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S FOURTH STATUS REPORT" and "NOTICE OF WITHDRAWAL OF MARGARET J. BUPP" 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 7th day of December, 2007.

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