

April 11, 2008

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 SIXTH 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 The Staff filed its last status report on February 8, 2008.

On November 9, 2007, Shieldalloy informed the Staff that it will be submitting a revision to its decommissioning plan (DP), Rev. 1b, by May 16, 2008. Rev. 1b will provide additional information to support Shieldalloy's responses² to the Staff's requests for additional information (RAIs).³

Since the last status report, Shieldalloy has informed the Staff that, to provide a full response to the RAIs, it intends to conduct additional leachability tests on slag and baghouse

¹ Memorandum and Order (Directing the Filing of Status Reports) (May 8, 2007) (unpublished) at 2.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

³ "Request for Additional Information, Shieldalloy Metallurgical Corporation Decommissioning Plan, Docket No. 04007102" (July 6, 2007) (ADAMS ML071640287).

dust from the Newfield site. Shieldalloy will then supplement Rev. 1b with additional RAI responses. Because Shieldalloy will need to wait for test results before finalizing its supplemental RAI responses, those responses may be submitted up to 90 days after Rev. 1b.

Taking into account Shieldalloy's intention to submit Rev. 1b by May 16, 2008, and its intention to provide supplemental RAI responses within 90 days after Rev. 1b, 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. The estimates for all Staff actions are three months later than those in the Staff's Fifth Status Report.

- Shieldalloy Submits Rev. 1b
May 2008
- Shieldalloy Provides Supplemental RAI Responses
July–August 2008
- Staff Completes Final Safety Evaluation Report
December 2008
- Staff Publishes Draft Environmental Impact Statement (EIS) (45-day Public Comment Period Begins)
January 2009
- Staff Holds Public Meeting on Draft EIS
January 2009
- 45-day Public Comment Period on Draft EIS Ends
February 2009
- Staff Issues Final EIS
August 2009

The staff will provide the Board and the parties with updated estimates no later than June 6, 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 11th day of April, 2008

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S SIXTH 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 11th day of April, 2008.

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

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@embarqmail.com

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: richard.wardwell@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

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

David R. Smith, Radiation Safety Officer
Shieldalloy 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. **
Kenneth 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
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: johanna.thibault@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
matias.travieso-diaz@pillsburylaw.com
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: sherverne.cloyd@nrc.gov

/RA/

Michael J. Clark
Counsel for the NRC Staff