

RAS 15154

**COPY**

June 10, 2008

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**DOCKETED  
USNRC**

Before the Commission

June 11, 2008 (8:30am)

**OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF**

In the Matter of )  
)  
SHIELDALLOY METALLURGICAL )  
CORPORATION )  
(License Amendment Request for )  
Decommissioning the Newfield Facility) )  
)

Docket No. 40-7102-MLA  
ASLBP No. 07-852-01-MLA-BD01

**SHIELDALLOY'S UNOPPOSED MOTION FOR LEAVE TO FILE A RESPONSE TO  
LICENSING BOARD'S MEMORANDUM (BRINGING MATTER OF CONCERN TO  
COMMISSION'S ATTENTION)**

The Atomic Safety and Licensing Board ("Board") in the above captioned proceeding has issued a "Memorandum (Bringing Matter of Concern to Commission's Attention)," LBP-08-08 (June 2, 2008) ("Memorandum") in which it seeks to refer to the Commission the Board's concern about what it perceives to be the protracted nature of the Commission Staff's ("Staff's") review of proposed plans to decommissioning two sites, the Shieldalloy Metallurgical Corporation ("Shieldalloy") materials licensed site in Newfield, New Jersey and the Department of the Army's Jefferson Proving Ground site in Indiana.

Pursuant to 10 C.F.R. § 2.323(a), Shieldalloy respectfully moves the Commission for leave to file, on such a schedule as the Commission may set, a response to the Board's Memorandum. As grounds for this motion, Shieldalloy states that it has additional information in its possession that it believes would be helpful to the Commission in its consideration of the

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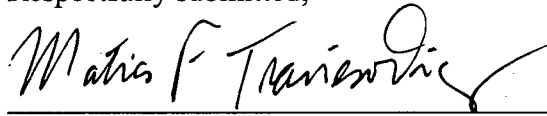
matters raised in the Memorandum with respect to the decommissioning of the Newfield site and the Staff's review of Shieldalloy's proposed decommissioning plan for that site.

As required by 10 C.F.R. § 2.323(b), counsel for Shieldalloy certifies that he has consulted with the other parties in connection with this motion. The NRC Staff does not oppose the motion. The New Jersey Department of Environmental Protection also does not oppose the motion, "with the qualification that NJ reserves the right to reply to the motion and any response."

### CONCLUSION

For the reasons stated above, Shieldalloy's motion should be granted.

Respectfully submitted,



Jay E. Silberg

Matias F. Travieso-Diaz

Robert B. Haemer

PILLSBURY WINTHROP SHAW PITTMAN LLP

2300 N Street, N.W.

Washington, DC 20037-1128

Tel. (202) 663-8063

Counsel for Shieldalloy Metallurgical Corporation

Dated: June 10, 2008

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of "Shieldalloy's Unopposed Motion for Leave to File a Response to Licensing Board's Memorandum (Bringing Matter of Concern to Commission's Attention)" dated June 10, 2008, were served on the persons listed below by deposit in the U.S. Mail, first class, postage prepaid, and where indicated by an asterisk by electronic mail, this 10<sup>th</sup> day of June, 2008.

\*Secretary  
Att'n: Rulemakings and Adjudications Staff  
Mail Stop O-16 C1  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
[secy@nrc.gov](mailto:secy@nrc.gov); [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

Hon. Dale E. Klein  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Hon. Peter B. Lyons  
Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

\*Office of Commission Appellate  
Adjudication  
Mail Stop O-16 C1  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
[OCAAmal@nrc.gov](mailto:OCAAmal@nrc.gov)

Hon. Kristine L. Svinicki  
Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Hon. Gregory B. Jaczko  
Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Stuart Rabner  
\*Andrew D. Reese  
\*Kenneth W. Elwell  
Office of Attorney General of New Jersey  
25 Market Street  
P.O. Box 093  
Trenton, NJ 08625-0093  
[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)

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

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


\*SherVerne R. Cloyd  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
M/S T-3F23  
Washington, DC 20555-0001  
[sherverne.cloyd@nrc.gov](mailto:sherverne.cloyd@nrc.gov)

Atomic Safety and Licensing Board  
Mail Stop T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

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

\*Michael J. Clark, Esq.  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
[mjcl@nrc.gov](mailto:mjcl@nrc.gov)

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

  
Matias F. Travieso-Diaz

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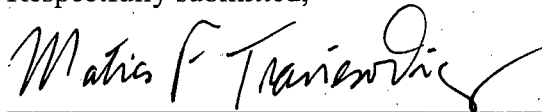
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Washington, DC 20037-1128

Tel. (202) 663-8063

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Hon. Dale E. Klein  
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U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

\*Office of Commission Appellate  
Adjudication  
Mail Stop O-16 C1  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
[OCAAmail@nrc.gov](mailto:OCAAmail@nrc.gov)

Hon. Kristine L. Svinicki  
Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Hon. Gregory B. Jaczko  
Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Stuart Rabner  
\*Andrew D. Reese  
\*Kenneth W. Elwell  
Office of Attorney General of New Jersey  
25 Market Street  
P.O. Box 093  
Trenton, NJ 08625-0093  
[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)

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

\*Administrative Judge  
William Reed  
Atomic Safety and Licensing Board  
Mail Stop – T-3 F23  
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Washington, D.C. 20555-0001  
[whrcville@embarqmail.com](mailto:whrcville@embarqmail.com)

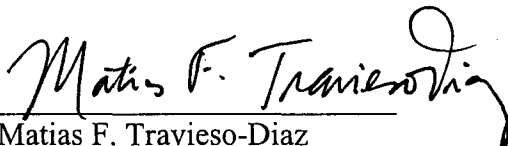
\*SherVerne R. Cloyd  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
M/S T-3F23  
Washington, DC 20555-0001  
[sherverne.cloyd@nrc.gov](mailto:sherverne.cloyd@nrc.gov)

Atomic Safety and Licensing Board  
Mail Stop T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

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Dr. Richard E. Wardwell  
Atomic Safety and Licensing Board  
Mail Stop – T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
[richard.wardwell@nrc.gov](mailto:richard.wardwell@nrc.gov)

\*Michael J. Clark, Esq.  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
[mjcl@nrc.gov](mailto:mjcl@nrc.gov)

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

  
Matias F. Travieso-Diaz