

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges:

Michael C. Farrar, Chairman
Nicholas G. Trikouros
Lawrence G. McDade

In the Matter of

SHAW AREVA MOX SERVICES

(Mixed Oxide Fuel Fabrication Facility)

Docket No. 70-3098-MLA

ASLBP No. 07-856-02-MLA-BD01

January 23, 2009

ORDER
(Convening Prehearing Conference)

During the prehearing conference of October 29, 2008, the Board suggested, and the parties agreed, that the Applicant should be provided 90 days (i.e., until January 27, 2009) to propose a litigation schedule. In that regard, and confirming the Board's earlier informal notification, the Board hereby schedules a prehearing teleconference, lasting no more than 60 minutes, for Wednesday, February 4, 2009, at 1:30 PM.

That conference will continue the discussion of scheduling and other matters left open during the previous conference. See November 20, 2008 unpublished Order (Summarizing Prehearing Conference). The parties are, of course, free to call the Board's attention to any other matters they believe worthy of consideration.

As indicated in our November 20th Order, the Applicant is to provide the Board and the other parties with either a litigation schedule or a status report by no later than 5:00 PM on Tuesday, January 27, 2009. In lieu of submitting written answers within two weeks of the Applicant's filing, as originally contemplated, the NRC Staff and the Intervenor will be given

adequate time during the prehearing conference to respond orally. They will also be permitted to submit written responses after the prehearing conference should they so desire.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

By Michael C. Farrar, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
January 23, 2009

Copies of this Notice and Order were sent this date by e-mail to counsel for (1) Applicant Shaw AREVA MOX Services, (2) the NRC Staff, and (3) Intervenor Blue Ridge Environmental Defense League (BREDL), Nuclear Watch South (NWS), and the Nuclear Information and Resource Service (NIRS).