

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 STATUS REPORT

In its Order dated October 21, 2009, the Atomic Safety and Licensing Board ("Board") suspended the NRC staff's ("Staff") obligation to file bi-monthly status reports regarding its review of Shieldalloy's decommissioning plan.¹ The Board also stated, however, that "the Staff remains obligated to inform the Board promptly of any significant developments relevant to this proceeding."²

On November 10, 2009, the Staff informed the Board that Shieldalloy filed a petition for review with the United States Court of Appeals for the District of Columbia Circuit. Shieldalloy's petition identifies the Nuclear Regulatory Commission as a respondent. By email dated June 9, 2010, the Board requested the Staff to confirm that there have been no significant developments in the pending litigation. The Staff herein confirms that there have been no significant developments in the litigation sufficient to have warranted the Staff to notify the Board. The parties are in the process of submitting briefs; oral argument has not yet been scheduled.

¹ Order, at 2 (October 21, 2009) (unpublished).

² *Id.*

Respectfully submitted

/RA/

Brett Michael Patrick Klukan
Counsel for the NRC Staff

Dated at Rockville, Maryland
this 15th day of June, 2010

June 15, 2010

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Newfield, New Jersey Facility))

NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney herewith enters an appearance in the above-captioned matter. In accordance with 10 C.F.R. § 2.314(b), the following information is provided:

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Admissions: State of Pennsylvania
Name of Party: NRC Staff

Respectfully submitted,

/RA/

Brett Michael Patrick Klukan
Counsel for the NRC Staff

Dated at Rockville, Maryland
this 15th day of June, 2010

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S STATUS REPORT" and "NOTICE OF APPEARANCE FOR BRETT MICHAEL PATRICK KLUKAN" 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 15th day of June, 2010.

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