

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

**Paul S. Ryerson, Chairman
Dr. James F. Jackson
Dr. Michael O. Garcia**

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In the Matter of)	Docket No. 70-7016-ML
)	
GE-HITACHI GLOBAL LASER ENRICHMENT)	ASLB No. 10-901-03-ML-BD01
LLC)	
)	
(GLE Commercial Facility))	August 24, 2010
)	

APPLICANT’S PROPOSED HEARING SCHEDULE

Pursuant to the Atomic Safety and Licensing Board’s (Board) direction during the August 19, 2010 initial scheduling conference in the above-captioned matter, GE-Hitachi Global Laser Enrichment LLC (GLE) hereby submits, for consideration by the Board, a proposed schedule for the mandatory, uncontested hearing on GLE’s license application. GLE’s goal is to set a reasonable but expeditious schedule for the issuance of an initial decision by the Board within about six (6) months of the Staff’s Final Environmental Impact Statement (currently scheduled for publication in February 2011). See CLI-06-20, 64 NRC 15, 26-27 (2006).

GLE’s proposed schedule, along with a brief explanation for the proposed dates, is provided below.

DATE	ACTION	EXPLANATION
<ul style="list-style-type: none"> January 13, 2010 	Hearing Order Issued	Complete.
<ul style="list-style-type: none"> August 19, 2010 	Scheduling Telecon	Complete
<ul style="list-style-type: none"> September – October, 2010 	Parties and ASLB develop and agree upon procedures, venue, etc., for introduction/handling of classified information and other protected forms of information.	<p>The ASLB and the parties need to have an agreement on what is required by 10 CFR, Part 2, Subpart I. This two month period should be used to address, among other things,</p> <ul style="list-style-type: none"> GLE confirmation of compliance with its classified information protection procedures in light of applicable NRC procedural requirements; Confirmation that all participants in the proceeding who will have access to classified information have active Q clearances and a need to know; Confirmation to the ASLB that once GLE receives and analyzes the ASLB questions, it will notify the ASLB and parties as required if it feels introduction of classified information is necessary; Agreement on process for submitting “substitute” <u>unclassified</u> versions of classified submittals and statements regarding the need for inclusion/admission of classified information, including relevance, materiality, competence and

DATE	ACTION	EXPLANATION
		prejudice if excluded; • Agreement on post-hearing expungement procedures.
• December 2010	FSER Issued.	Anticipated.
• February 2011	FEIS Issued	Anticipated.
• February 2011	ASLB issues questions on FSER.	This provides two months for ASLB to review/develop questions on FSER.
• March 2011	ASLB issues questions on FEIS.	This provides one month for ASLB to review/develop questions on FEIS based on prior issuance of DEIS in June 2010 (9 months).
• April 2011	Parties prepare and submit responses to ASLB questions.	Approximately 30 days allocated for this task.
• May 2011	ASLB identifies areas for prefiled testimony. ¹	Based on 8/19/10 initial scheduling conference discussion. Approximately 30 days allocated for this task after receipt of responses to ASLB questions.
• July 11, 2011	Parties submit prefiled testimony.	Approximately 40 days allocated to this task.
• July 21, 2011	Mandatory Hearing commences.	Approximately 10 days after prefiled testimony is submitted.

¹ GLE favors prefiled testimony in the interest of developing the most complete and clear record. GLE would not, however, oppose supplementing the prefiled written testimony with PowerPoint-type summary presentations at the oral hearing.

DATE	ACTION	EXPLANATION
<ul style="list-style-type: none"> July 25, 2011 	Mandatory Hearing completed.	Assumes 3 days of hearings, but scope and detail of ASLB inquiries will dictate length of hearing. Experience in other proceedings suggests hearing may be completed in less time.
<ul style="list-style-type: none"> September 8, 2011 	Proposed Findings of Fact and Conclusions of Law ²	45 days for this task.
<ul style="list-style-type: none"> October 18, 2011 	ASLB Initial Decision.	Approximately 40 days from proposed findings.

² This milestone assumes that the ASLB deems such proposed findings and conclusions to be necessary. Since this is an uncontested proceeding, it may be possible for the ASLB to reach a more prompt decision, consistent with CLI-06-20, without such submittals by the parties.

Respectfully submitted,

/ signed (electronically) by /

Donald J. Silverman, Esq.
Martin O'Neill, Esq.
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Ave, N.W.
Washington, DC 20004
Phone (202) 739-5502
E-mail: dsilverman@morganlewis.com

Counsel for GLE

Dated in Washington, DC
this 24th day of August, 2010.

Rulemakings and Adjudication Staff Mail Stop O16-C1 Washington, DC 20555-0001 E-mail: HEARINGDOCKET@nrc.gov	Mail Stop O16-C1 Washington, DC 20555-0001 E-mail: OCAAMAIL@nrc.gov
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Donald J. Silverman, Esq.
Martin O'Neill, Esq.
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Ave, N.W.
Washington, DC 20004
Phone (202) 739-5502
E-mail: dsilverman@morganlewis.com

Counsel for GLE