

RAS K-133

Harmon, Curran, Spielberg + Eisenberg LLP



DOCKETED

January 25, 2011 (4:03p.m.)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

January 24, 2011

BY HAND DELIVERY
Michael C. Farrar, Chair
Dr. Nicholas G. Trikouros
Lawrence G. McDade
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
11535 Rockville Pike
Rockville, Maryland 20852

SUBJECT: *Filing in Operating Licensing Proceeding for Plutonium MOX
Fuel Fabrication Facility, Docket No. 70-3098*

Dear Administrative Judges:

On behalf of the intervenors in this proceeding, I am enclosing intervenors' Notice Regarding Effects of Safety Evaluation Report on Contentions 9, 10 and 11. Copies have also been served on counsel for the parties, under the terms prescribed in the Atomic Safety and Licensing Board's ("ASLB's") Protective Order of December 31, 2008.

Please note that the attached Reply may contain Sensitive Unclassified Security Information ("SUNSI") and therefore should be protected from public disclosure.

However, intervenors intend to seek public disclosure of the document in the future.

Copies of this cover letter and the certificate of service are being sent by e-mail to the Board, the parties and the Secretary's office in order to ensure that they are recorded on the public docket.

Thank you for your consideration.

Sincerely,

/s/

Diane Curran

Cc: Service list

Template Secy-037

DS-03

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD**

In the Matter of)	
Shaw AREVA MOX Services)	Docket No. 70-3098-MLA
(Mixed Oxide Fuel Fabrication Facility)	
Possession and Use License))	ASLBP No. 07-856-02-MLA-BD01

CERTIFICATE OF SERVICE

I certify that on January 24, 2011, copies of Intervenors' Notice Regarding Effects of Safety Evaluation Report on Contentions 9, 0 and 11 were served on the following parties by Federal Express, in conformance with the Atomic Safety and Licensing Board's Protective Order of December 31, 2008. I also certify that copies of the cover letter and certificate of service were sent by e-mail to the NRC's Rulemakings and Adjudications Staff in order to publicly record that the documents were filed.

Asst. for Rulemakings and Adjudications
Office of the Secretary
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, Maryland 20852

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/s/ _____
Diane Curran

Hearing Docket

From: Diane Curran [dcurran@harmoncurran.com]
Sent: Tuesday, January 25, 2011 4:03 PM
To: anna.jones@morganlewis.com; Klukan, Brett; Scott, Catherine;
dsilverman@morganlewis.com; elyman@ucsusa.org; atom.girl@mindspring.com;
bredl@skybest.com; Tucker, Katie; Sexton, Kimberly; McDade, Lawrence;
maryolson@main.nc.us; Farrar, Mike; Trikouros, Nicholas; Docket, Hearing; OCAAMAIL
Resource; Harich, Patricia; tmatthews@morganlewis.com
Subject: Filing in MOX OL Proceeding
Attachments: Cover Letter and COS re Intervenor Notificaiton re Contentions 9-11 _1-24-11_.pdf

Dear ASLB and parties:

The attached cover letter and certificate of service are intended to make a public record of Intervenors' filing, on January 24, 2011, of their Notice Regarding Effect of Safety Evaluation Report on Contentions 9, 10, and 11. The Notice itself was submitted under the terms of the Protective Order in this case because it may contain Sensitive Unclassified Security-related Information.

Sincerely,
Diane Curran

Diane Curran
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Received: from mail1.nrc.gov (148.184.176.41) by TWMS01.nrc.gov
(148.184.200.145) with Microsoft SMTP Server id 8.2.247.2; Tue, 25 Jan 2011
16:02:50 -0500

X-Ironport-ID: mail1

X-SBRS: None

X-MID: 30122666

X-fn: Cover Letter and COS re Intervenor Notificaiton re Contentions 9-11
1-24-11.pdf

X-IronPort-Anti-Spam-Filtered: true

X-IronPort-Anti-Spam-Result: AhgFAI/JPk2tDcvy/2dsb2JhbACCQKlxc70VgxGCPgSFF4cR

X-IronPort-AV: E=Sophos;i="4.60,376,1291611600";
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Received: from mail.harmoncurran.com ([173.13.203.242]) by mail1.nrc.gov with
ESMTP; 25 Jan 2011 16:02:49 -0500

Content-Class: urn:content-classes:message

MIME-Version: 1.0

Content-Type: multipart/mixed;

boundary="----_=_NextPart_001_01CBBCD3.352E6DF5"

Subject: Filing in MOX OL Proceeding

X-MimeOLE: Produced By Microsoft Exchange V6.5

Date: Tue, 25 Jan 2011 16:02:42 -0500

Message-ID: <3A9F01B3843EC648A26775F2431967CCC6D007@HARMON.hcse.com>

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator:

Thread-Topic: Filing in MOX OL Proceeding

Thread-Index: Acu80zXfPrJfO8bfRSSyqtvBfZu1hQ==

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