

March 25, 2011

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

As directed by the Atomic Safety and Licensing Board in its November 23, 2010 order,¹ the Nuclear Regulatory Commission (NRC) Staff submits its bimonthly report regarding the status of its review of Shieldalloy Metallurgical Corporation's decommissioning plan (DP) for its Newfield, New Jersey facility. The Staff submitted its last status report on January 25, 2011.

As stated in the Staff's last status report, on January 3, 2011 the NRC's Office of the Secretary issued an order asking Shieldalloy and the State of New Jersey to submit their views on whether the NRC should reinstate its transfer of regulatory authority over Shieldalloy's Newfield facility to New Jersey, or whether the NRC should retain regulatory authority over the facility. On February 4, 2011, Shieldalloy and New Jersey submitted initial responses to the Secretary's order. On February 11, 2011, Shieldalloy and New Jersey each responded to the other party's initial submittal.²

NRC employees responsible for advising the Commission are presently considering the views of Shieldalloy and New Jersey on the issue presented in the Secretary's January 3, 2011 order. The Staff does not expect to resume review of Shieldalloy's DP until the Commission

¹ Order (Reinstating Status Report Requirement) (November 23, 2010).

² Shieldalloy's and New Jersey's submittals may be found in the NRC's Agencywide Documents Access Management System (ADAMS) at accession numbers ML110400480 (Shieldalloy's Initial Submittal), ML110680422 (New Jersey's Initial Submittal), ML110530178 (Shieldalloy's Response) and ML110490038 (New Jersey's Response).

reaches a decision on this issue. Whether the Staff resumes review of the DP will also depend on the nature of the Commission's decision.

Consistent with the Board's November 23, 2010 order, the Staff will file an updated status report no later than Wednesday, May 25, 2011.

Respectfully submitted,

/RA/

Michael J. Clark
Counsel for the NRC Staff

Dated at Rockville, Maryland
This 25th day of March, 2011

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S STATUS REPORT" in this proceeding have been served on the following persons by deposit in the United States Mail; through deposit in the Nuclear Regulatory Commission's internal mail system as indicated by an asterisk (*); or by electronic mail as indicated by a double asterisk (**) on this 25th day of March, 2011.

Alan S. Rosenthal, Chair * **
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop – T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
E-mail: rsnthl@verizon.net

William Reed * **
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop – T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
E-mail: whrcville@embarqmail.com

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

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

Office of Commission Appellate
Adjudication * **
U.S. Nuclear Regulatory Commission
Mail Stop: O-16 G4
Washington, D.C. 20555
E-mail: OCAAMail@nrc.gov

Office of the Secretary * **
Attn: Rulemaking and Adjudications Staff
U.S. Nuclear Regulatory Commission
Mail Stop: O-16 G4
Washington, D.C. 20555
E-mail: hearingdocket@nrc.gov

David R. Smith, Radiation Safety Officer
Shieldalloy Metallurgical Corporation
12 West Boulevard
P.O. Box 768
Newfield, NJ 08344-0768

Stuart Rabner, Esq.
Attorney General of New Jersey
Andrew W. Reese, Esq. **
Kenneth Elwell, Esq. **
Deputy Attorneys General
New Jersey Office of the Attorney General
Department of Law and Public Safety
25 Market Street
P.O. Box 093
Trenton, NJ 08625
E-mail: reeseand@dol.lps.state.nj.us
Kenneth.elwell@dol.lps.state.nj.us

Joshua A. Kirstein, Law Clerk * **
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C.
20555-0001
E-mail: joshua.kirstein@nrc.gov

Jay E. Silberg **
Matias Travieso-Diaz **
R. Budd Haemer **
Pillsbury Winthrop Shaw Pittman, LLP
2300 N St. NW
Washington, DC 20037
E-mail: jay.silberg@pillsburylaw.com
matias.travieso-diaz@pillsburylaw.com
robert.haemer@pillsburylaw.com

SherVerne R. Cloyd * **
Atomic Safety and Licensing Board Panel
Mail Stop – T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
E-mail: sherverne.cloyd@nrc.gov

/RA/

Michael J. Clark
Counsel for the NRC Staff