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Morgan Lewis
C O U N S E L O R S A T L A W

DOCKETED

September 29, 2011 (2:00 p.m.)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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September 29, 2011

VIA COURIER

Michael C. Farrar, Chair
Lawrence G. McDade, Administrative Judge
Nicholas Trikouros, Administrative Judge
c/o Karen Valloch
Atomic Safety and Licensing Board
Mail Stop: T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Diane Curran, Esq
Harmon, Curran, Spielberg, & Eisenberg, LLP
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Washington, D.C. 20036

Brett Klukan, Esq.
Catherine Scott, Esq.
Office of General Counsel
Mail Stop O15-D21
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Docket No. 70-3098-MLA: Shaw AREVA MOX Services, LLC's Initial Statement of Position on Contentions 4, 9, 10, and 11

Dear Administrative Judges and Counsel for Intervenors and NRC Staff:

Shaw AREVA MOX Services, LLC ("MOX Services") herein submits to the Atomic Safety and Licensing Board ("Board") and the parties hardcopies of its Initial Statement of Position on Contentions 4, 9, 10, and 11, along with supporting exhibits and certificate of service. MOX Services' exhibits include Pre-Filed Direct Testimony on Contention 4, offered by Dr. Sven

Philadelphia Washington New York Los Angeles San Francisco Miami Pittsburgh Princeton Chicago Palo Alto
Dallas Houston Harrisburg Irvine Boston Wilmington London Paris Brussels Frankfurt Beijing Tokyo

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September 29, 2011

Page 2

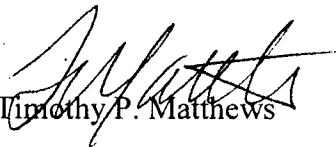
Bader and Mr. Emory Collins, and Pre-Filed Direct Testimony on Contentions 9-11, offered by Ms. Sue King, Mr. Gary Bell, Mr. Gary Clark, and Ms. Martha Williams.

MOX Services also provides herein an electronic copy of this submittal to the Board and the Secretary of the Commission, in accordance with the Board's direction during the September 27, 2011 teleconference. The electronic copy consists of two CD-ROMs: one containing all non-UCNI portions of this submittal, and the other containing the UCNI portion, encrypted, in accordance with 10 CFR § 1017.27(b). MOX Services will provide the password for the encrypted CD-ROM separately.

Because the contents of this submittal contain security sensitive information, they should be withheld from public disclosure in accordance with 10 CFR § 2.390, and protected pursuant to the provisions of the July 26, 2011 Protective Order and Non-Disclosure Declaration. When separated from the enclosures, this transmittal document and certificate of service are decontrolled and may be recorded on the public docket.

Please contact me if you have any questions. Please contact Anna Jones, (202) 739-5881, anna.jones@morganlewis.com, to resolve any discrepancies in the document submittals, should they arise.

Respectfully submitted,



Timothy P. Matthews

Enclosures

c: Secretary of the Commission
Joshua Kirstein
Shelbie Lewman
Dealis W. Gwyn

September 29, 2011
Page 3

Document Components

001 MOX Services' Transmittal Letter.pdf, 118 KB
002 MOX Services' Initial Statement of Position on Contentions 4, 9, 10, and 11.pdf, 490
KB, OOU
003 APP000001.pdf, 22KB
004 APP000002.pdf, 877 KB, OOU
005 APP000003.pdf, 63 KB
006 APP000004.pdf, 15 KB
007 APP000005.pdf, 7035 KB, OOU
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027 APP000025.pdf, 1785 KB, OOU
028 APP000026.pdf, 1301 KB, OOU
029 APP000027.pdf, 830 KB, OOU
030 APP000028.pdf, 1661 KB, OOU
031 APP000029.pdf, 3062 KB
032 APP000030.pdf, 2391 KB

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

THE ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Michael C. Farrar, Chairman
Lawrence G. McDade
Dr. Nicholas G. Trikouros

In the Matter of

SHAW AREVA MOX SERVICES, LLC

(Mixed Oxide Fuel Fabrication Facility
Possession and Use License)

September 29, 2011

Docket No. 70-3098-MLA

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

CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2011, copies of "Shaw AREVA MOX Services, LLC's Initial Statement of Position on Contentions 4, 9, 10, and 11" and supporting exhibits were served upon the persons listed below by courier.

Secretary of the Commission¹
Rulemakings and Adjudications Staff
U.S. Nuclear Regulatory Commission
Mail Stop: 0-16 C1
Washington, D.C. 20555-0001

Michael C. Farrar, Chair
Lawrence G. McDade
Dr. Nicholas G. Trikouros
c/o Karen Valloch²
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

¹ Original and one electronic copy, in accordance with the Board's September 9, 2011 Order (Summarizing Determinations Related to August 31, 2011 Teleconference) at 5, and the Board's direction during the September 27, 2011 teleconference.

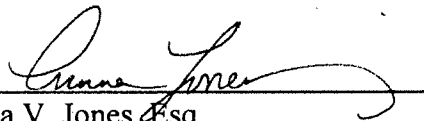
² Four copies and one electronic copy, in accordance with the Board's September 9, 2011 Order (Summarizing Determinations Related to August 31, 2011 Teleconference) at 4, and the Board's direction during the September 27, 2011 teleconference.

Diane Curran³
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Dated: 29 September 2011



Anna V. Jones, Esq.
Counsel for Shaw AREVA MOX Services, LLC

³ Three copies, in accordance with Section L of the July 26, 2011 Protective Order.

Hearing Docket

From: Jones, Anna V. [anna.jones@morganlewis.com]
Sent: Thursday, September 29, 2011 2:00 PM
To: Docket, Hearing; Farrar, Mike; Trikouros, Nicholas; McDade, Lawrence; Klukan, Brett; Scott, Catherine; 'Diane Curran'; Kirstein, Josh; Lewman, Shelbie; 'atom.girl@mindspring.com'; 'bredl@skybest.com'; 'maryolson@main.nc.us'
Cc: Silverman, Donald J.; Matthews, Timothy P.; 'Gwyn, Dealis W.'
Subject: Docket No. 70-3098-MLA: MOX Services' Initial Statement of Position on Contentions 4, 9, 10, and 11
Attachments: (68225347)_ (1)_MOX Services_ Transmittal Letter.PDF

Dear Administrative Judges and Parties,

Shaw AREVA MOX Services, LLC ("MOX Services") today submits to the Atomic Safety and Licensing Board ("Board") and the parties, via courier, hardcopies of its Initial Statement of Position on Contentions 4, 9, 10, and 11, along with supporting exhibits and certificate of service. MOX Services' exhibits include Pre-Filed Direct Testimony on Contention 4, offered by Dr. Sven Bader and Mr. Emory Collins, and Pre-Filed Direct Testimony on Contentions 9-11, offered by Ms. Sue King, Mr. Gary Bell, Mr. Gary Clark, and Ms. Martha Williams.

MOX Services also provides an electronic copy of this submittal to the Board and the Secretary of the Commission, in accordance with the Board's direction during the September 27, 2011 teleconference. The electronic copy consists of two CD-ROMs: one containing all non-UCNI portions of this submittal, and the other containing the UCNI portion, encrypted, in accordance with 10 CFR § 1017.27(b). The password for the encrypted CD-ROM is 703098MLA.

Because the contents of this submittal contain security sensitive information, they should be withheld from public disclosure in accordance with 10 CFR § 2.390, and protected pursuant to the provisions of the July 26, 2011 Protective Order and Non-Disclosure Declaration. When separated from the enclosures, the transmittal document and certificate of service (attached here) are decontrolled and may be recorded on the public docket.

Please contact me if you have any questions or to resolve any discrepancies in the document submittals, should they arise.

Regards,

Anna Vinson Jones
Counsel for Shaw AREVA MOX Services, LLC

Anna Vinson Jones

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13:59:49 -0400

From: "Jones, Anna V." <anna.jones@morganlewis.com>

To: ""hearingdocket@nrc.gov" <hearingdocket@nrc.gov>,
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CC: "Silverman, Donald J." <dsilverman@morganlewis.com>,
"Matthews, Timothy P." <tmatthews@morganlewis.com>,
"Gwyn, Dealis W." <DWGwyn@moxproject.com>

Date: Thu, 29 Sep 2011 13:59:46 -0400

Subject: Docket No. 70-3098-MLA: MOX Services' Initial Statement of
Position on Contentions 4, 9, 10, and 11

Thread-Topic: Docket No. 70-3098-MLA: MOX Services' Initial Statement of
Position on Contentions 4, 9, 10, and 11

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