

October 11, 2011

Michael C. Farrar, Chair
Atomic Safety and Licensing Board
Mail Stop: T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Nicholas Trikouros, Administrative Judge
Atomic Safety and Licensing Board
Mail Stop: T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Lawrence G. McDade, Administrative Judge
Atomic Safety and Licensing Board
Mail Stop: T-3 F23
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

In the Matter of
SHAW AREVA MOX SERVICES
Mixed Oxide Fuel Fabrication Facility
Docket No. 70-3098-MLA

Dear Administrative Judges,

The NRC Staff provides notice that it has updated the hearing file for this proceeding pursuant to 10 C.F.R. § 2.336(d). The Staff produces herein as Supplement 39 to its Mandatory Disclosures an index of each item in the hearing file. The Staff is continuing to preserve and maintain required privileged documents during the pendency of this proceeding. Attached is the Affidavit of David Tiktinsky as required by 10 C.F.R. § 2.336(c).

Respectfully submitted,

/RA/

Brett M. Klukan
Counsel for the NRC Staff

Enclosures: Attachment 1: Hearing File Index
Affidavit of David Tiktinsky

cc: Attached Service List

ATTACHMENT 1 SHAW AREVA MOX SERVICES, LLC HEARING FILE AND MANDATORY DISCLOSURES
HEARING FILE INDEX
Supplemental Disclosure 39 – October 11, 2011

| ID # | Accession Number | Document Date | Title/ Description |
|-------------|-------------------------|----------------------|---------------------------------------|
| 39-01 | ML11280A240 | 09/25/2011 | 2011/09/25 MFFF - IVP Approvals |
| 39-02 | ML11280A241 | 09/24/2011 | 2011/09/24 MFFF - Concurrence on IVPs |
| 39-03 | ML11280A242 | 09/23/2011 | 2011/09/23 MFFF - IVP Approvals |
| 39-04 | ML11280A246 | 09/27/2011 | 2011/09/27 MFFF - ANS Paper |
| 39-05 | ML11280A260 | 09/22/2011 | 2011/09/22 MFFF - re: IVP-007 |
| 39-06 | ML11280A261 | 09/22/2011 | 2011/09/22 MFFF - RE: re: IVP-013 |
| 39-07 | ML11280A266 | 09/22/2011 | 2011/09/22 MFFF - |
| 39-08 | ML11280A268 | 09/22/2011 | 2011/09/22 MFFF - re: IVP-013 |
| 39-09 | ML11280A273 | 09/22/2011 | 2011/09/22 MFFF - re: IVP-011 |
| 39-10 | ML11280A276 | 09/22/2011 | 2011/09/22 MFFF - re: IVP-009 |
| 39-11 | ML11280A277 | 09/22/2011 | 2011/09/22 MFFF - re: IVP-006 |
| 39-12 | ML11280A279 | 09/22/2011 | 2011/09/22 MFFF - re: IVP-005 |
| 39-13 | ML11280A280 | 09/22/2011 | 2011/09/22 MFFF - re: IVP-003 |
| 39-14 | ML11280A281 | 09/21/2011 | 2011/09/21 MFFF - re: IVP-002 |
| 39-15 | ML11280A282 | 09/21/2011 | 2011/09/21 MFFF - re: IVP-001 |
| 39-16 | ML11280A286 | 09/23/2011 | 2011/09/23 MFFF - re: ivp-004 |
| 39-17 | ML11280A292 | 09/23/2011 | 2011/09/23 MFFF - re: ivp-026 |
| 39-18 | ML11280A295 | 09/23/2011 | 2011/09/23 MFFF - re: ivp-025 |
| 39-19 | ML11280A296 | 09/23/2011 | 2011/09/23 MFFF - re: ivp-024 |
| 39-20 | ML11280A298 | 09/23/2011 | 2011/09/23 MFFF - re: ivp-023 |
| 39-21 | ML11280A299 | 09/23/2011 | 2011/09/23 MFFF - re: ivp-022 |
| 39-22 | ML11280A300 | 09/23/2011 | 2011/09/23 MFFF - re: IVP-021 |
| 39-23 | ML11280A301 | 09/23/2011 | 2011/09/23 MFFF - re: ivp-020 |
| 39-24 | ML11280A304 | 09/23/2011 | 2011/09/23 MFFF - re: IVP-019 |
| 39-25 | ML11280A306 | 09/23/2011 | 2011/09/23 MFFF - RE: re: ivp-018 |
| 39-26 | ML11280A307 | 09/23/2011 | 2011/09/23 MFFF - re: ivp-018 |
| 39-27 | ML11280A308 | 09/23/2011 | 2011/09/23 MFFF - re: IVP-017 |
| 39-28 | ML11280A310 | 09/23/2011 | 2011/09/23 MFFF - RE: re: IVP-010 |
| 39-29 | ML11280A311 | 09/23/2011 | 2011/09/23 MFFF - RE: re: IVP-012 |

| ID # | Accession Number | Document Date | Title/ Description |
|-------------|-------------------------|----------------------|-----------------------------------|
| 39-30 | ML11280A312 | 09/23/2011 | 2011/09/23 MFFF - RE: re: IVP-014 |
| 39-31 | ML11280A313 | 09/23/2011 | 2011/09/23 MFFF - re: IVP-016 |
| 39-32 | ML11280A314 | 09/23/2011 | 2011/09/23 MFFF - re: IVP-014 |
| 39-33 | ML11280A315 | 09/23/2011 | 2011/09/23 MFFF - re: IVP-012 |
| 39-34 | ML11280A316 | 09/23/2011 | 2011/09/23 MFFF - re: IVP-010 |
| 39-35 | ML11280A318 | 09/23/2011 | 2011/09/23 MFFF - re: IVP-008 |

October 11, 2011

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

| | | |
|---|---|------------------------------|
| In the Matter of |) | |
| |) | |
| SHAW AREVA MOX SERVICES |) | Docket No. 70-3098-MLA |
| |) | |
| (Mixed Oxide Fuel Fabrication Facility) |) | ASLBP No. 07-856-02-MLA-BD01 |

AFFIDAVIT OF DAVID TIKTINSKY CONCERNING
MANDATORY DISCLOSURE
REQUIREMENT OF 10 C.F.R. § 2.336(c)

I, David Tiktinsky, do hereby state as follows:

1. I am employed as a Senior Project Manager in the Division of Fuel Cycle Safety and Safeguards in the Nuclear Regulatory Commission's ("NRC") Office of Nuclear Material Safety and Safeguards. I serve as the Senior Project Manager for the Mixed Oxide Fuel Fabrication Facility license application to possess and use special nuclear material. Among other things, I am managing the preparation of the hearing file and mandatory disclosures in connection with the license application issue in this proceeding.

2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336 (b) and (c) in the captioned proceeding have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.

3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

/Original Signed By/

David Tiktinsky

Executed in Rockville, MD
this 11th day of October, 2011.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
SHAW AREVA MOX SERVICES) Docket No. 70-3098-MLA
)
(Mixed Oxide Fuel Fabrication Facility)) ASLBP No. 07-856-02-MLA-BD01

CERTIFICATE OF SERVICE

I hereby certify that copies of the "LETTER IN THE MATTER OF SHAW AREVA MOX SERVICES, LLC" 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 11th day of October, 2011:

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/RA/

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