

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

Before Administrative Judges:

Michael C. Farrar, Chairman  
Nicholas G. Trikouros  
Lawrence G. McDade

In the Matter of  SHAW AREVA MOX SERVICES  (Mixed Oxide Fuel Fabrication Facility)
--

Docket No. 70-3098-MLA  
ASLBP No. 07-856-02-MLA-BD01  
July 16, 2012

ORDER

(Adopting the Parties' Jointly Proposed Schedule for Submittal of Additional Information)

On June 29, 2012, the Board issued an Order requesting further information from the Applicant regarding the material control and accounting system set forth in its 2010 Fundamental Nuclear Material Control Plan.<sup>1</sup> We also invited the NRC Staff and the Intervenors to submit materials in response to the new information requested from the Applicant.<sup>2</sup> To that end, the Board suggested a timeline for the parties' submittals.

Under this suggested timeline, the final submittal to the Board would have been filed by October 3, 2012.<sup>3</sup> We, however, encouraged the parties -- whom we described as having "worked very well together throughout this proceeding in agreeing upon procedures and timeframes" -- "to inform us if they believe a different submittal schedule would be more

---

<sup>1</sup> Licensing Board Memorandum and Order (Requesting Further Information from the Applicant) (June 29, 2012) at 15–16 (unpublished).

<sup>2</sup> See id.

<sup>3</sup> See id.

appropriate given the effort needed.”<sup>4</sup> In response, the parties have now jointly proposed a lengthier submittal schedule, having agreed that more time is needed to provide the information sought by the Board.<sup>5</sup>

The parties’ proposed submittal schedule is as follows:

- 1) Applicants to file the documents requested by the Board’s June 29, 2012 Order, along with supporting testimony and evidence by Monday, October 15, 2012;
- 2) Staff to file its response to Applicant’s submittals by Wednesday, December 19, 2012;
- 3) Intervenors to file its response to Applicant’s submittals and Staff’s response by Thursday, January 31, 2013;
- 4) Applicant to file its reply to the Staff and Intervenors’ responses by Thursday, February 14, 2013.<sup>6</sup>

The Board finds this proposed schedule reasonable and, accordingly, we adopt it to govern submissions requested in our June 29, 2012, Order.

It is so ORDERED

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

*/RA/*

---

Michael C. Farrar, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
July 16, 2012

Copies of this Order were sent this date by e-mail to counsel for (1) Applicant Shaw AREVA MOX Services, (2) the NRC Staff, and (3) Intervenors Blue Ridge Environmental Defense League (BREDL), Nuclear Watch South (NWS), and the Nuclear Information and Resource Service (NIRS).

---

<sup>4</sup> Id. at 16.

<sup>5</sup> See Jointly Proposed Schedule for Submittal of Additional Information (July 11, 2012) at 1–2.

<sup>6</sup> Id. at 2.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
Shaw AREVA MOX Services, LLC ) Docket No. 70-3098-MLA  
 )  
(Mixed Oxide Fuel Fabrication Facility )  
Possession and Use License) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Adopting the Parties' Jointly Proposed Schedule for Submittal of Additional Information)** have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Michael C. Farrar, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Nicholas G. Trikouros  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Lawrence G. McDade  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Shelbie Lewman, Law Clerk

Catherine Scott, Esq.  
Brett Michael Patrick Klukan, Esq.  
Christopher Hair, Esq.  
Marcia J. Simon, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Shaw AREVA MOX Services  
P.O. Box 7097  
Aiken, SC 29804  
Attention: Dealis Gwyn

Docket No. 70-3098-MLA

**ORDER (Adopting the Parties' Jointly Proposed Schedule for  
Submittal of Additional Information)**

Glenn Carroll  
Coordinator  
Nuclear Watch South  
P.O. Box 8574  
Atlanta, GA 31106

Louis A. Zeller  
Blue Ridge Environmental Defense League  
P.O. Box 88  
Glendale Springs, NC 28629

Mary Olson  
Nuclear Information and Resource Service  
P.O. Box 7586  
Asheville, NC 28802

Donald J. Silverman, Esq.  
Timothy P. Matthews, Esq.  
Anna L. Jones, Esq.  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004

Diane Curran, Esq.  
Harmon, Curran, Spielberg &  
Eisenberg, L.L.P.  
1726 M Street, NW, Suite 600  
Washington, DC 20036

[Original signed by Nancy Greathead]

---

Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 16<sup>th</sup> day of July 2012