

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 27, 2012

ORDER

(Granting Applicant's Unopposed Motion for Extension and Alternative Schedule)

On July 19, 2012, we issued an Order granting Intervenors leave to submit a surreply.¹ In that Order, we extended Applicant an opportunity to file an Answer in response to Intervenors' surreply by July 30, 2012.²

In response to our July 19, 2012 Order, Applicant filed an unopposed motion seeking an extension of time to respond to Intervenors' surreply, and to establish an alternative schedule permitting all parties an opportunity to respond to Intervenors' surreply.³ Applicant requests that it be allowed to submit its response to Intervenors' surreply as part of its October 15, 2012 response to the Board's June 29, 2012 Order requesting information.⁴ It also requests that the

¹ Licensing Board Order (Granting Intervenors' Motion for Leave to Submit Surreply) (July 19, 2012) (unpublished).

² Id. at 3.

³ See Shaw AREVA MOX Services' Unopposed Motion for Extension and Alternative Schedule (July 25, 2012) at 1.

⁴ See id.

NRC Staff be permitted to address Intervenors' surreply in its December 19, 2012 filing; that the Intervenors be permitted to respond in their January 31, 2013 filing; and that Applicant be permitted a final reply in its February 14, 2013 filing.⁵

Finding that the proposed alternative schedule will not prejudice or delay this proceeding, the Board grants this motion and adopts the alternative schedule for responding to Intervenors' surreply set forth above.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Lawrence G. McDade
ADMINISTRATIVE JUDGE

Rockville, Maryland
July 27, 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).

⁵ See id.

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Possession and Use License))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Granting Applicant's Unopposed Motion for Extension and Alternative Schedule)** have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Docket No. 70-3098-MLA

ORDER (Granting Applicant's Unopposed Motion for Extension and Alternative Schedule)

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[Original signed by Nancy Greathead]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 27th day of July 2012