

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges:

Michael C. Farrar, Chairman
Nicholas G. Trikouros
Paul B. Abramson

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

May 9, 2013

ORDER
(Summarizing May 9, 2013, Teleconference)

The Board conducted a teleconference with counsel for the parties on May 9, 2013, to define the path forward for resolving the pending issues concerning the Material Control and Accounting systems proposed for the MOX facility. At that time, we announced our decision to conduct a supplemental evidentiary hearing and covered a number of other matters related to that hearing.

The hearing will commence on the previously reserved date of Tuesday, May 21, 2013, at 9:00 a.m. EDT in the Atomic Safety and Licensing Board Panel's Hearing Room located at NRC Headquarters in Rockville, Maryland. The Board anticipates completing this hearing by 5:00 p.m. EDT that same day. If circumstances warrant, however, the evidentiary hearing could be extended until later that evening or reconvened at 9:00 a.m. on Wednesday, May 22.

During the teleconference, the Board alerted the parties to the nature of some of the questions that we intend to explore at the evidentiary hearing. It is to be expected, of course, that the Board will ask additional questions at the hearing that were not announced during the teleconference.

The teleconference also involved matters such as pre-hearing deadlines, logistical details, and hearing procedures. All the information provided and determinations made are reflected in the teleconference transcript and are not being repeated here.

This hearing will necessarily be closed to the public because of the sensitive, security-related material that will be covered throughout the hearing.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Michael C. Farrar, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
May 9, 2013

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).

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 (Summarizing May 9, 2013, Teleconference)** 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
Paul B. Abramson
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Shelbie Lewman, Law Clerk
Nicole Picard, 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 (Summarizing May 9, 2013, Teleconference)

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 Herald M. Speiser]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 9th day of May, 2013