

**RAS 3135**

UNITED STATES OF AMERICA

**DOCKETED 06/15/01**

NUCLEAR REGULATORY COMMISSION

**SERVED 06/15/01**

DUKE, COGEMA, STONE & WEBSTER  
SAVANNAH RIVER MIXED OXIDE FUEL FABRICATION FACILITY

DOCKET NO. 70-3098-ML

ASLBP No. 01-790-01-ML

ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 Fed. Reg. 28,710 (1972); the Commission's Regulations, see 10 C.F.R. §§ 2.1201, 2.1207; and the Commission's Order dated June 14, 2001, CLI-01-13, 53 NRC \_\_ (June 14, 2001), an Atomic Safety and Licensing Board is being established to preside over the following proceeding:

DUKE, COGEMA, STONE & WEBSTER  
SAVANNAH RIVER MIXED OXIDE FUEL FABRICATION FACILITY

This Board is being established to conduct this proceeding pursuant to an enhanced version of the procedures found in 10 C.F.R. Part 2, Subpart L, of the Commission's Regulations, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings" (CLI-01-13, 53 NRC at \_\_ (slip op. at 1-2)). On February 28, 2001, Duke, Cogema, and Stone & Webster submitted a construction authorization request (CAR) to build a mixed oxide (MOX) fuel fabrication facility, which would be located at the United States Department of Energy's Savannah River site in South Carolina. This proceeding concerns requests for hearing submitted by (1) Georgians Against Nuclear Energy (GANE); (2) Environmentalists, Inc. (EI); (3) Blue Ridge Environmental Defense League (Blue Ridge); and (4) Charles and Edna Foster. The requests were filed in response to a March 7, 2001 notice in the Federal Register announcing receipt of the CAR and a related environmental report (66 Fed. Reg. 13,794.) and a notice of opportunity for a hearing published by the Commission on April 18, 2001 (66 Fed. Reg. 19,994).

The Board is comprised of the following administrative judges:

Administrative Judge Thomas S. Moore, Chairman  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Administrative Judge Charles N. Kelber  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Administrative Judge Peter S. Lam  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

All correspondence, documents, and other materials shall be filed with the  
Administrative Judges in accordance with 10 C.F.R. § 2.1203.\*

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G. Paul Bollwerk, III  
Chief Administrative Judge  
Atomic Safety and Licensing Board Panel

Issued at Rockville, Maryland,  
this 15th day of June 2001.

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\* Copies of this Licensing Board establishment notice were sent this date by internet e-mail or facsimile transmission to counsel or representatives for (1) applicants Duke, Cogema, and Stone & Webster; (2) petitioners GANE, EI, Blue Ridge, and Charles and Edna Foster; and (3) the NRC staff.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
DUKE COGEMA STONE & WEBSTER	)	Docket No. 70-3098-ML
	)	
(Savannah River Mixed Oxide Fuel	)	
Fabrication Facility)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD have been served upon the following persons by deposit in the 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  
Thomas S. Moore, Chairman  
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U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Charles N. Kelber  
Atomic Safety and Licensing Board Panel  
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Washington, DC 20555-0001

Administrative Judge  
Peter S. Lam  
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Docket No. 70-3098-ML  
ESTABLISHMENT OF ATOMIC SAFETY  
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Blue Ridge Environmental Defense League  
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Edna Foster  
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Highlands, NC 28741

[Original signed by Adria T. Byrdsong]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 15<sup>th</sup> day of June 2001