

August 7, 2002

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Thomas S. Moore, Chairman  
Administrative Judge  
Nuclear Regulatory Commission  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3F23  
Washington, D.C. 20555

Charles N. Kelber  
Administrative Judge  
Nuclear Regulatory Commission  
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Peter S. Lam  
Administrative Judge  
Nuclear Regulatory Commission  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3F23  
Washington, D.C. 20555

In the Matter of  
DUKE COGEMA STONE & WEBSTER (DCS)  
(Mixed Oxide Fuel Fabrication Facility, Construction Authorization Request)  
Docket No. 70-3098-ML)

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Dear Administrative Judges:

Pursuant to 10 C.F.R. § 2.1231, the NRC Staff is enclosing Supplemental Index # 3, describing and identifying by number additional items to supplement the initial hearing file submitted in December 2001. The first three items described in Supplemental Index # 3 (items 95A, 97A, and 98A) should have been included in Supplemental Index # 2. These items are numbered as they are to avoid having to re-number previous hearing file items. Starting with item 99, Supplemental Index # 3 lists, in chronological order, letters and memoranda dated from April 30, 2002 through July 17, 2002, that were exchanged between DCS and NRC. Each of the numbered items may contain one or more individual documents (e.g., an item may consist of a cover letter, and one or more enclosures referenced in the cover letter).

Paper copies of the items listed in Supplemental Index # 3 are also enclosed. Please contact Amy Hoadley (301-415-8129) or the undersigned if any copying errors or similar document problems are found.

Sincerely,

**/RA/**

John T. Hull  
Counsel for NRC Staff

Enclosures: As stated

cc w/encls: Donald J. Silverman, Esq.  
Glenn Carroll, GANE  
Louis A. Zeller, BREDL

Office of the Secretary  
Office of Commission Appellate Adjudication

SUPPLEMENT # 3 TO HEARING FILE INDEX FOR CONSTRUCTION AUTHORIZATION  
REQUEST (CAR) PROCEEDING (as of July 31, 2002)

MIXED OXIDE FUEL FABRICATION FACILITY  
DOCKET 70-3098

Document No.	Description
95A.	Letter to NRC from DCS (P. Hastings) dated 3/12/02, requesting certain 2/13/02 DCS presentation materials be withheld from public disclosure [ADAMS ACCESSION # ML020730050] (hearing file copy does not include proprietary enclosure)
97A.	Internal NRC memorandum (cc to P. Hastings of DCS) dated 4/17/02, regarding staff support for the Mixed Oxide Fuel Fabrication Facility review [ADAMS ACCESSION # ML021070154]
98A.	Letter to Nuclear Control Institute (E. Lyman) (cc to P Hastings of DCS), from NRC (M. Virgilio), dated 4/23/02, responding to NCI's letter dated 3/8/02 [ADAMS ACCESSION #ML020790547]
99.	Letter to DCS (R. Ihde) from NRC (R. Pierson) dated 4/30/02, enclosing the draft Safety Evaluation Report [ADAMS ACCESSION # ML021290167]
100.	Internal NRC memorandum (cc to P. Hastings of DCS) dated 5/3/02, summarizing 3/27/02 meeting with DCS [ADAMS ACCESSION #ML021290416]
101.	Letter to DCS (R. Ihde) from NRC (R. Pierson) dated 5/10/02, pertaining to previous DCS request (2/11/02) to withhold information from public disclosure [ADAMS ACCESSION #ML021330686] (hearing file copy does not include proprietary enclosure)
102.	Letter to NRC from DCS (P. Hastings) dated 5/30/02, requesting an exemption from participating in the Electronic Submittal Pilot program [ADAMS ACCESSION #ML021540233]
103.	Letter to NRC from DCS (P. Hastings) dated 6/10/02, enclosing nonproprietary version of a page change to a prior DCS submittal [ADAMS ACCESSION #ML021640201]
104.	Letter to NRC from DCS (P. Hastings) dated 6/10/02, pertaining to earlier DCS request to withhold proprietary information from public disclosure [ADAMS ACCESSION #ML021680238] (hearing file copy does not include proprietary enclosure)

- 105. Letter to NRC from DCS (P. Hastings) dated 6/21/02, requesting two NRC Information Notices, 2002-17 and 2002-18 [ADAMS ACCESSION #ML021840679]
- 106. Letter to DCS (P.Hastings) from NRC (A. Persinko) dated 6/27/02, enclosing evaluation of DCS' 4/23/02 letter [ADAMS ACCESSION #ML021790017]
- 107. Letter to NRC from DCS (P. Hastings) dated 6/28/02, advising that DCS' response on the technical accuracy of the draft Safety Evaluation Report would be deferred to 7/8/02 [ADAMS ACCESSION #ML021840409]
- 108. Letter to NRC from DCS (P. Hastings) dated 7/09/02, enclosing DCS' comments on NRC's 4/30/02 draft Safety Evaluation Report [ADAMS ACCESSION #ML021910605]
- 109. Letter to NRC from DCS (R. Ihde) dated 7/11/02, enclosing Rev 2 of the DCS Environmental Report [ADAMS ACCESSION #ML021990442]
- 110. FAX to NRC (A. Hoadley) from DCS (M. Michelsen) dated 7/15/02, enclosing missing pages for DCS 10/22/01 submittal [ADAMS ACCESSION #ML021980107]
- 111. Memorandum to NRC from DCS (J. Watts) dated 7/16/02, enclosing corrected pages to Rev 2 of the DCS Environmental Report 111.
- 112. Letter to DCS (R. Ihde) from NRC (R. Pierson) dated 7/17/02, approving DCS request to withhold from public disclosure information pertaining to sintering furnace operations [ADAMS ACCESSION #ML021980267]