

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
NUCLEAR FUEL SERVICES, INC.

Docket No. 70-143-MLA

ASLBP No. 02-803-04-MLA

DESIGNATION OF PRESIDING OFFICER

Pursuant to delegation by the Commission, see 37 Fed. Reg. 28,710 (Dec. 29, 1972), and the Commission's regulations, see 10 C.F.R. §§ 2.1201, 2.1207, notice is hereby given that (1) a single member of the Atomic Safety and Licensing Board Panel is designated as Presiding Officer to rule on petitions for leave to intervene and/or requests for hearing; and (2) upon making the requisite findings in accordance with 10 C.F.R. § 2.1205(h), the Presiding Officer will conduct an adjudicatory hearing in the following proceeding:

Nuclear Fuel Services, Inc.
Erwin, Tennessee
(Material License Amendment)

The hearing will be conducted pursuant to 10 C.F.R. Part 2, Subpart L, of the Commission's Regulations, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings." This proceeding concerns requests for hearing submitted (1) on August 6, 2002 by David Wallack; (2) on August 7, 2002, by Trudy L. Wallack; (3) on August 8, 2002, by the Oak Ridge Environmental Peace Alliance, Tennessee Environmental Council, the State of Franklin Group/Sierra Club, and Friends of the Nolichucky River Valley, Inc.; (4) on August 8, 2002, by the Blue Ridge Environmental Defense League, Inc.; and (5) on August 8, 2002, by fifteen Northeast Tennessee residents. The requests were filed in response to a notice of consideration by the NRC staff of a proposed request from Nuclear Fuel

Services, Inc., (NFS) to amend its special nuclear material license to authorize construction and operation of a Low-Enriched Uranyl Nitrate Storage Building at the NFS site in Erwin, Tennessee, and to increase the U²³⁵ possession limit. The notice of environmental assessment performed by the staff, finding of no significant impact, and opportunity for a hearing were published in the Federal Register on July 9, 2002 (67 Fed. Reg. 45,555).

The Presiding Officer in this proceeding is Administrative Judge Alan S. Rosenthal. Pursuant to the provisions of 10 C.F.R. §§ 2.722, 2.1209, Administrative Judge Richard F. Cole has been appointed to assist the Presiding Officer in taking evidence and in preparing a suitable record for review.

All correspondence, documents, and other materials shall be filed with Judges Rosenthal and Cole in accordance with 10 C.F.R. § 2.1203. Their addresses are:

Administrative Judge Alan S. Rosenthal
Presiding Officer
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Administrative Judge Richard F. Cole
Special Assistant
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
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/RA/

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

Issued at Rockville, Maryland,
this third day of September 2002.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
NUCLEAR FUEL SERVICES, INC.)	Docket No. 70-143-MLA
ERWIN, TENNESSEE)	
)	
(Material License Amendment))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing DESIGNATION OF PRESIDING OFFICER have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
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DESIGNATION OF PRESIDING OFFICER

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 3rd day of September 2002