

February 20, 2003

DOCKETED 02/20/03

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

Charles N. Kelber  
Administrative Judge  
U. S. Nuclear Regulatory Commission  
Atomic Safety and Licensing Board Panel  
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Peter S. Lam  
Administrative Judge  
U. S. 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 (MOX) 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 # 4, describing and identifying by number additional items to supplement the initial hearing file submitted in December, 2001. Starting with item 113, Supplemental Index # 4 lists, in chronological order, letters and memoranda dated from August 12, 2002 through February 11, 2003, 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). Copies of the items listed in Supplemental Index # 4 are enclosed. Please contact Linda Gross (301-415-8129) or the undersigned, if any copying errors or similar document problems are found in hearing file items 113-139.

Note that NUREG-1767, the draft "Environmental Impact Statement on the Construction and Operation of a Mixed Oxide Fuel Fabrication Facility at the Savannah River Site, South Carolina" (MOX DEIS) is listed in Supplemental Index # 4 as hearing file item 140. Copies of the MOX DEIS became available on February 20, and are being distributed to the Board and parties along with the other enclosures to this letter.

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  
Diane Curran, Esq.

Office of the Secretary  
Office of Commission Appellate  
Adjudication

SUPPLEMENT # 4 TO HEARING FILE INDEX FOR CONSTRUCTION AUTHORIZATION  
REQUEST (CAR) PROCEEDING (as of February, 2003)

MIXED OXIDE FUEL FABRICATION FACILITY  
DOCKET 70-3098

Document No.	Description
113.	Letter to DCS (R. Ihde) from NRC (S. Flanders) dated 8/12/02, accepting for technical review Rev 2 of the DCS Environmental Report [ADAMS ACCESSION #ML022280195]
114.	Letter to NRC from DCS (P. Hastings) dated 8/19/02, enclosing report on the groundwater mixing zone at the old F-Area seepage basin [ADAMS ACCESSION #ML022330457]
115.	Letter to NRC from DCS (P. Hastings) dated 8/23/02, regarding open items identified in the draft Safety Evaluation Report [ADAMS ACCESSION #ML022410015]
116.	Letter to DCS (R. Ihde) from NRC (C. Trottier) dated 10/3/02, enclosing request for additional information regarding Rev 2 of the DCS Environmental Report [ADAMS ACCESSION #ML022900756]
117.	Internal NRC memorandum (cc to P. Hastings of DCS) dated 10/11/02, summarizing 8/27/02 NRC public meeting [ADAMS ACCESSION #ML022880522]
118.	Letter to NRC from DCS (P. Hastings) dated 10/29/02, enclosing response to request for additional information regarding Rev 2 of the DCS Environmental Report [ADAMS ACCESSION #ML023040497]
119.	Letter to DCS (P. Hastings) from NRC (A. Persinko) dated 10/30/02, enclosing response to DCS' comments on NRC's 4/30/02 draft Safety Evaluation Report [ADAMS ACCESSION #ML023030544]
120.	Letter to NRC from DCS (R. Ihde) dated 10/31/02, enclosing revised DCS Construction Authorization Request [ADAMS ACCESSION #ML023170102]
121.	Letter to NRC from DCS (R. Ihde) dated 10/31/02, referencing proprietary portions of revised DCS Construction Authorization Request [ADAMS ACCESSION #ML02310102] (hearing file copy does not include proprietary enclosure)

Document No.	Description
122.	Letter to NRC from DCS (P. Hastings) dated 11/15/02, enclosing corrections to response to request for additional information regarding Rev 2 of the DCS Environmental Report [ADAMS ACCESSION #ML023310177]
123.	Letter to DCS (T. Touchstone) from NRC (D. Ayres) dated 11/21/02, summarizing meeting held with DCS on 11/12/02, and enclosing meeting slides [ADAMS ACCESSION #ML023250545]
124.	Letter to NRC from DCS (P. Hastings) dated 11/21/02, enclosing State of Georgia financial report [ADAMS ACCESSION #ML023450088]
125.	Letter to NRC from DCS (P. Hastings) dated 11/22/02, enclosing status of open items regarding DCS Construction Authorization Request [ADAMS ACCESSION #ML023310063]
126.	Letter to DCS (P. Hastings) from NRC (A. Persinko) dated 12/9/02, enclosing status report of open items identified in NRC's 4/30/02 draft Safety Evaluation Report [ADAMS ACCESSION #ML023470052]
127.	Internal NRC memorandum (cc to P. Hastings of DCS) dated 12/10/02, summarizing 11/21/02 NRC meeting with DCS [ADAMS ACCESSION #ML023300241]
128.	Letter to NRC from DCS (P. Hastings) dated 12/10/02, enclosing revisions to Rev 2 of the DCS Environmental Report regarding accident scenarios and consequences [ADAMS ACCESSION #ML023530172]
129.	Letter to NRC from DCS (P. Hastings) dated 12/12/02, enclosing letter from South Carolina State Historic Preservation Office [ADAMS ACCESSION #ML023580112]
130.	Letter to NRC from DCS (P. Hastings) dated 12/20/02, enclosing change pages to the revised DCS Construction Authorization Request, reflecting a revised consequence analysis [ADAMS ACCESSION #ML023600483]
131.	Internal NRC memorandum (cc to P. Hastings of DCS) dated 12/31/02, summarizing August 28-30, 2002, NRC meetings with DCS [ADAMS ACCESSION #ML023640483]
132.	Letter to DCS (R. Ihde) from NRC (A. Persinko) dated 1/7/03, regarding DCS request to withhold information in revised Construction Authorization Request from public disclosure [ADAMS ACCESSION #ML023640447]

Document No.	Description
133.	Letter to NRC from DCS (P. Hastings) dated 1/8/03, enclosing revised criticality validation reports [ADAMS ACCESSION #ML030170437]
134.	Letter to DCS (P.Hastings) from NRC (A. Persinko) dated 1/10/03, approving the DCS quality assurance program for constructing the proposed MOX facility [ADAMS ACCESSION #ML030090208]
135.	Letter to DCS (P.Hastings) from NRC (A. Persinko) dated 1/13/03, enclosing status report of open items identified in NRC's 4/30/02 draft Safety Evaluation Report, and additional open items [ADAMS ACCESSION #ML030150014]
136.	Letter to NRC from DCS (P. Hastings) dated 1/15/03, enclosing corrections to DCS Environmental Report data regarding accident scenarios and consequences [ADAMS ACCESSION #ML030210068]
137.	Internal NRC memorandum (cc to P. Hastings of DCS) dated 1/31/03, summarizing December 10-12, 2002, NRC meetings with DCS [ADAMS ACCESSION #ML030130139]
138.	Letter to NRC from DCS (P. Hastings) dated 2/6/03, regarding DCS request to withhold information in revised Construction Authorization Request from public disclosure [ADAMS ACCESSION #ML030420268]
139.	Letter to NRC from DCS (P. Hastings) dated 2/11/03, enclosing responses to open items pertaining to NRC's 4/30/02 draft Safety Evaluation Report [ADAMS ACCESSION #ML030440028]
140.	NUREG-1767, the draft "Environmental Impact Statement on the Construction and Operation of a Mixed Oxide Fuel Fabrication Facility at the Savannah River Site, South Carolina."