

Alan S. Rosenthal, Presiding Officer
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555

Richard F. Cole, Special Assistant
Administrative Judge
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In the Matter of
NUCLEAR FUEL SERVICES, INC.
(Material License Amendment)
Docket No. 70-143-MLA-2

Dear Administrative Judges:

On October 11, 2002, Nuclear Fuels Services, Inc. (NFS) submitted a license amendment application seeking authorization for processing operations in the Blended Low-Enriched Uranium (BLEU) facility at the NFS site in Erwin, Tennessee. After publication of a Notice for Opportunity for Hearing in the *Federal Register*,¹ timely requests for a hearing were filed on February 6, 2003 jointly by the Friends of the Nolichucky River Valley, the State of Franklin Group of the Sierra Club, the Oak Ridge Environmental Peace Alliance, and the Tennessee Environmental Council, and separately by Kathy Helms-Hughes concerning the amendment requested by NFS.

Pursuant to 10 C.F.R. § 2.1213, the Nuclear Regulatory Commission (NRC) Staff is required to notify the Presiding Officer within 10 days of the designation of the Presiding Officer whether the Staff intends to participate as a party to the adjudication. The Presiding Officer was designated on February 13, 2003. In accordance with that regulation, the Staff hereby informs the Presiding Officer that it does not plan to participate as a party in an adjudicatory proceeding on the license amendment application for the BLEU Preparation Facility.

Sincerely,

/RA/

Jennifer M. Euchner
Counsel for NRC Staff

cc: Daryl M. Shapiro
Sean Barnett
Kathy Helms-Hughes
Atomic Safety and Licensing Board Panel

Neil J. Newman
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¹ 68 Fed. Reg. 796 (Jan. 7, 2003).