

May 2, 2003

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

Dear Administrative Judges:

Pursuant to 10 C.F.R. § 2.1231, the NRC Staff is enclosing Supplemental Index # 5, describing and identifying by number additional items to supplement the initial hearing file submitted in December 2001. The first two items described in Supplemental Index # 5 (items 24A and 136A) should have been included in previous supplements to the hearing file. These items are numbered as they are to avoid having to re-number previous hearing file items.

Starting with item 141, Supplemental Index # 5 lists, in chronological order, letters and memoranda dated from February 13, 2003 through April 30, 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 # 5 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 141-150.

Judge Thomas Moore
Judge Charles Kelber
Judge Peter Lam

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Note that revision 1 of the "Draft Safety Evaluation Report On The Construction Authorization Request For The Mixed Oxide Fuel Fabrication Facility" (Draft Construction SER) is part of hearing file item 150, and copies of it are being distributed to the Board and parties along with the other enclosures to this letter. Copies of this Draft Construction SER were also sent by Federal Express on May 1 to counsel for Georgians Against Nuclear Energy and DCS, among others.

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 # 5 TO HEARING FILE INDEX FOR CONSTRUCTION AUTHORIZATION
REQUEST (CAR) PROCEEDING (as of May 1, 2003)

MIXED OXIDE FUEL FABRICATION FACILITY
DOCKET 70-3098

Document No.	Description
24A.	Internal NRC memorandum dated 1/24/01, summarizing 1/4 through 1/5/01 NRC public meeting with DCS, and three attachments [ADAMS ACCESSION #ML010270104].
136A.	Letter to NRC from Advanced Technologies and Laboratories International, Inc. (M. Orr) dated 1/17/03, enclosing report reviewing 4/30/02 Draft Construction SER [ADAMS ACCESSION #ML031110359].
141.	Letter to DCS (P. Hastings) from NRC (A. Persinko) dated 2/13/03, providing monthly open item status report [ADAMS ACCESSION #ML030440229]
142.	Letter to NRC from DCS (P. Hastings) dated 2/18/03, enclosing responses to NRC staff questions on revised CAR [ADAMS ACCESSION #ML030520464]
143.	Letter to NRC from DCS (P. Hastings) dated 2/18/03, enclosing revised pages to revised CAR [ADAMS ACCESSION #ML030520595]
144.	Letter to DCS (P. Hastings) from NRC (A. Persinko) dated 2/28/03, pertaining to DCS request to withhold information from public disclosure [ADAMS ACCESSION #ML030560026]
145.	Internal NRC memorandum dated 3/5/03 (cc to P. Hastings of DCS), summarizing 1/15 through 1/16/03 NRC public meeting with DCS, and four attachments [ADAMS ACCESSION # ML030300126]
146.	Internal NRC memorandum dated 3/5/03 (cc to P. Hastings of DCS), summarizing 2/6 through 2/7/03 NRC public meeting with DCS, and five attachments [ADAMS ACCESSION # ML030630223]
147.	Letter to DCS (P. Hastings) from NRC (A. Persinko) dated 3/21/03, providing monthly open item status report [ADAMS ACCESSION #ML030800413]
148.	Letter to NRC from DCS (P. Hastings) dated 4/1/03, enclosing revised pages to revised CAR [ADAMS ACCESSION #ML030940175]
149.	Letter to NRC from DCS (P. Hastings) dated 4/10/03, enclosing revised pages to revised CAR, update instructions, and revised open item responses [ADAMS ACCESSION #ML031050057]

150. Letter to DCS (R. Ihde) from NRC (R. Pierson) dated 4/30/03, enclosing revision 1 of the Draft Construction SER [ADAMS ACCESSION #ML ____]