

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

Docket No. 70-143-MLA-3

ASLBP No. 04-820-05-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-3)

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 two requests for hearing submitted on February 2, 2004, one from Friends of the Nolichucky River Valley, Inc., the State of Franklin Group of the Sierra Club, the Oak Ridge Environmental Peace Alliance, and the Tennessee Environmental Council, and the second from Kathy Helms-Hughes. These petitions were filed in response to an NRC staff December 17, 2003 notice of receipt of a request by Nuclear Fuel Services, Inc. (NFS) to amend its 10 C.F.R. Part 70 license to authorize processing operations in the Oxide Conversion Building and the Effluent Processing Building at

the NFS Blended Low-Enriched Uranium Complex in Erwin, Tennessee. The notice of receipt of amendment request and opportunity for a hearing were published in the Federal Register on December 24, 2003 (68 Fed. Reg. 74,653).

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
Washington, D.C. 20555-0001

/RA/

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

Issued at Rockville, Maryland,
this twenty-fourth day of February 2004.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
NUCLEAR FUEL SERVICES, INC.)	Docket No. 70-143-MLA-3
ERWIN, TENNESSEE)	
)	
(Material License Amendment-3))	

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
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Alan S. Rosenthal, Presiding Officer
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Richard F. Cole, Special Assistant
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dennis C. Dambly, Esq.
Marian L. Zobler, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Kathy Helms-Hughes
P.O. Box 2394
Fort Defiance, AZ 86504

Diane Curran, Esq.
Harmon, Curran, Spielberg
& Eisenberg, L.L.P.
1726 M Street, NW, Suite 600
Washington, DC 20036

Docket No. 70-143-MLA-3
DESIGNATION OF PRESIDING OFFICER

Daryl M. Shapiro, Esq.
D. Sean Barnett, Esq.
ShawPittman, LLP
2300 N Street, NW
Washington, DC 20037

Neil J. Newman
Vice President and General Counsel
Nuclear Fuel Services, Inc.
1700 Rockville Pike
Rockville, MD 20852

[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 24th day of February 2004