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OFFICE OF THE  
GENERAL COUNSEL

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

DOCKETED  
USNRC

March 5, 2004 (3:45PM)

March 5, 2004

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

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

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

Dear Administrative Judges:

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 24, 2004. Two hearing requests were filed, 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;<sup>1</sup> and the second from Kathy Helms-Hughes.<sup>2</sup> The requests were filed in response to a notice of receipt by the NRC Staff of a request by Nuclear Fuel Services, Inc. (NFS) to amend its 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.<sup>3</sup>

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<sup>1</sup> See "Third Request for Hearing By State of Franklin Group of the Sierra Club, Friends of the Nolichucky River Valley, Oak Ridge Environmental Peace Alliance, and Tennessee Environmental Council, Regarding Nuclear Fuel Services' Proposed Bleu Project," filed February 2, 2004.

<sup>2</sup> See "Third Request for Hearing By Kathy Helms-Hughes Regarding Nuclear Fuel Services' Proposed Blended Low-Enriched Uranium Project," filed February 2, 2004.

<sup>3</sup> See "Nuclear Fuel Services, Inc.; Notice of Receipt of Amendment Request and Opportunity to Request a Hearing for Oxide Conversion Building and Effluent Processing Building in the Blended Low-Enriched Uranium Complex," 68 Fed. Reg. 74,653 (Dec. 24, 2003).

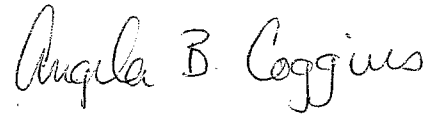
A. Rosenthal  
R. Cole

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March 5, 2004

Pursuant to 10 C.F.R. § 2.1213, the Staff hereby notifies you that it does not desire to participate as a party in this adjudicatory proceeding.

Sincerely,

A handwritten signature in cursive script that reads "Angela B. Coggins".

Angela B. Coggins  
Counsel for NRC Staff

cc: C. Todd Chapman, Esq.  
Daryl M. Shapiro, Esq.  
Sean Barnett, Esq.  
Diane Curran, Esq.  
Atomic Safety and Licensing Board Panel

Louis Zeller  
Neil J. Newman, Esq.  
Kathy Helms-Hughes  
Office of the Secretary