

December 8, 2004

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  
Mail Stop: T-3F23  
Washington, D.C. 20555

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 # 11, describing and identifying by number additional items to supplement the initial hearing file submitted in December 2001.

Starting with item 233, Supplemental Index # 11 lists, in chronological order, letters and memoranda generated between August 1, 2004 and December 2, 2004, and 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 # 11 are enclosed. Please contact Linda Marshall (301-415-8129) or the undersigned, if any copying errors or similar document problems are found in hearing file items 233 - 249.

As reflected in the attached index, item 249 includes the draft of the final safety evaluation report for the construction of the proposed MOX facility. Note that hard copies of this draft were sent to counsel for DCS and GANE last week, and that due to its volume additional copies are not being sent to counsel. The Staff is also advising the Board and parties that the Staff expects to issue its final environmental impact statement for the proposed construction and

operation of the MOX facility on January 28, 2005. The Staff expects to issue its final safety evaluation report for the construction of the proposed MOX facility on February 28, 2005. Should either of these dates change, the Staff will promptly notify the Board and parties.

Sincerely,

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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 # 11 TO HEARING FILE INDEX FOR CONSTRUCTION AUTHORIZATION  
REQUEST (CAR) PROCEEDING (as of December 2, 2004)

MIXED OXIDE FUEL FABRICATION FACILITY  
DOCKET 70-3098

Document No.	Description
233.	Internal NRC memorandum dated 8/9/04 (cc to P. Hastings) providing summary of July 14, 2004 meeting with DCS [ADAMS ACCESSION #ML042220095]
234.	Letter to DCS (R. Ihde) from NRC (J. Davis) dated 8/17/04, enclosing request for additional information on environmental report [ADAMS ACCESSION #ML042290037]
235.	Letter to DCS (P. Hastings) from NRC (R. Pierson) dated 8/25/04, regarding request for withholding information [ADAMS ACCESSION #ML042390081]
236.	Letter to DCS (P. Hastings) from NRC (W. Troskoski) dated 8/31/04, enclosing monthly open item status report [ADAMS ACCESSION #ML042440193]
237.	Letter to DCS (P. Hastings) from NRC (R. Pierson) dated 9/7/04, regarding request for withholding information [ADAMS ACCESSION #ML042380316]
238.	Letter to DCS (P. Hastings) from NRC (D. Brown) enclosing request for additional information on CAR [ADAMS ACCESSION #ML042520284]
239.	Internal NRC memorandum dated 9/14/04 (cc to P. Hastings) providing summary of phone calls between Staff and DCS [ADAMS ACCESSION #ML042580537]
240.	Letter to NRC from DCS (R. Sweigart) dated 9/17/04, enclosing response to request for additional information on environmental report [ADAMS ACCESSION #ML042660105]
241.	Letter to NRC from DCS (R. Sweigart) dated 9/23/04, enclosing response to request for additional information on CAR [ADAMS ACCESSION #ML042790513]
242.	Letter to DCS (P. Hastings) from NRC (D. Brown) dated 10/6/04, enclosing monthly open item status report [ADAMS ACCESSION #ML042800538]

SUPPLEMENT # 11 TO HEARING FILE INDEX FOR CONSTRUCTION AUTHORIZATION  
REQUEST (CAR) PROCEEDING (as of December 2, 2004)

MIXED OXIDE FUEL FABRICATION FACILITY  
DOCKET 70-3098

Document No.	Description
243.	NRC meeting notice dated 10/7/04 (cc to P. Hastings), regarding 10/22/04 meeting between DCS and NRC staff [ADAMS ACCESSION #ML042800420]
244.	Letter to NRC from DCS (R. Sweigart) dated 10/11/04, enclosing response to request for additional information [ADAMS ACCESSION #ML042880371]
245.	Letter to DCS (K. Ashe) from NRC (R. Pierson) dated 10/21/04, regarding planned storage of depleted uranium in the proposed Secured Warehouse Building [ADAMS ACCESSION #ML042950057]
246.	Internal NRC memorandum dated 10/28/04 (cc to P. Hastings) providing summary of 10/22 meeting between Staff and DCS (hearing file copy does not include DCS proprietary handouts) [ADAMS ACCESSION #ML043070089]
247.	Letter to DCS (P. Hastings) from NRC (D. Brown) dated 11/4/04, enclosing monthly open item status report [ADAMS ACCESSION #ML043090449]
248.	Letter to DCS (K. Ashe) from NRC (D. Brown) dated 11/30/04, enclosing monthly open item status report [ADAMS ACCESSION #ML043350421]
249.	Letter to DCS (R. Sweigart) from NRC (J. Strosnider) dated 12/2/04, enclosing draft of Final Safety Evaluation Report [ADAMS ACCESSION #ML043370467]