

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 10/17/07

ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges:

SERVED 10/17/07

Michael C. Farrar, Chairman
Nicholas G. Trikouros
Lawrence G. McDade

In the Matter of

SHAW AREVA MOX SERVICES

(Mixed Oxide Fuel Fabrication Facility)

Docket No. 70-3098-MLA

ASLBP No. 07-856-02-MLA-BD01

October 17, 2007

MEMORANDUM
(Notice of Expected Date for Decision)

At the conclusion of the oral argument in this proceeding, involving a Petition to Intervene filed by three citizens organizations, the Board announced its intention to adhere to the mid-September target for a decision that the parties had agreed upon in light of a number of scheduling conflicts that had delayed the convening of oral argument. Tr. at 145. Since that time, a number of filings in the proceeding and events outside the proceeding have delayed preparation of the Board's decision. With construction of the facility just begun and not scheduled for completion for seven years, this delay should not prejudice any party. In any event, pursuant to 10 C.F.R. § 2.309(i), the Board hereby provides notice that it currently anticipates issuing a decision on the matters that were the subject of the oral argument no later than October 31, 2007.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*

/RA/

Michael C. Farrar, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
October 17, 2007

* Copies of this Order were sent this date by e-mail to (1) counsel for the Applicant and the NRC Staff and (2) each of the individuals appearing for the three organizations seeking to intervene.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
Shaw AREVA MOX Services, LLC)	Docket No. 70-3098-MLA
)	
(Mixed Oxide Fuel Fabrication Facility)	
Possession and Use License)		

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM (NOTICE OF EXPECTED DATE FOR DECISION) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Docket No. 70-3098-MLA
LB MEMORANDUM (NOTICE OF EXPECTED DATE FOR DECISION)

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 17th day of October 2007