

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

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

In the Matter of	Docket No. 70-3098-MLA
SHAW AREVA MOX SERVICES	ASLBP No. 07-856-02-MLA-BD01
(Mixed Oxide Fuel Fabrication Facility)	January 25, 2012

ORDER

(Discussing Suggested Confidential Questions)

The Applicant filed its reply statement and corresponding pre-filed testimony on Tuesday, January 24, 2012. Accordingly, pursuant to the schedule established by the Board, the parties' suggested confidential questions are due on Monday, February 13, 2012.¹ This deadline assumes that neither the NRC Staff nor the Intervenors file motions in limine, motions to strike, or requests for protected information in response to the Applicant's reply statement and corresponding pre-filed testimony.² If motions in limine, motions to strike, or requests for protected information are filed, then the parties' suggested confidential questions are due ten (10) days after the Board rules on those motions or requests.³

¹ See Licensing Board Order (Summarizing Determinations Related to August 31, 2011 Teleconference) (Sept. 9, 2011) at app. 1 at step 7 (unpublished).

² Id.

³ Id.

In either scenario, however, no questions are to be submitted on Contention 4. Likewise, the parties need not have witnesses who would testify regarding Contention 4 attend the evidentiary hearing.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Michael C. Farrar, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
January 25, 2012

Copies of this Order were sent this date by e-mail to counsel for (1) Applicant Shaw AREVA MOX Services, (2) the NRC Staff, and (3) Intervenor Blue Ridge Environmental Defense League (BREDL), Nuclear Watch South (NWS), and the Nuclear Information and Resource Service (NIRS).

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 **ORDER (Discussing Suggested Confidential Questions)**, 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

ORDER (Discussing Suggested Confidential Questions)

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[Original signed by Nancy Greathead]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 25th day of January 2012