

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)	July 16, 2012

ORDER

(Adopting the Parties' Jointly Proposed Schedule for Submittal of Additional Information)

On June 29, 2012, the Board issued an Order requesting further information from the Applicant regarding the material control and accounting system set forth in its 2010 Fundamental Nuclear Material Control Plan.<sup>1</sup> We also invited the NRC Staff and the Intervenors to submit materials in response to the new information requested from the Applicant.<sup>2</sup> To that end, the Board suggested a timeline for the parties' submittals.

Under this suggested timeline, the final submittal to the Board would have been filed by October 3, 2012.<sup>3</sup> We, however, encouraged the parties -- whom we described as having "worked very well together throughout this proceeding in agreeing upon procedures and timeframes" -- "to inform us if they believe a different submittal schedule would be more

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<sup>1</sup> Licensing Board Memorandum and Order (Requesting Further Information from the Applicant) (June 29, 2012) at 15–16 (unpublished).

<sup>2</sup> See id.

<sup>3</sup> See id.

appropriate given the effort needed.”<sup>4</sup> In response, the parties have now jointly proposed a lengthier submittal schedule, having agreed that more time is needed to provide the information sought by the Board.<sup>5</sup>

The parties’ proposed submittal schedule is as follows:

- 1) Applicants to file the documents requested by the Board’s June 29, 2012 Order, along with supporting testimony and evidence by Monday, October 15, 2012;
- 2) Staff to file its response to Applicant’s submittals by Wednesday, December 19, 2012;
- 3) Intervenors to file its response to Applicant’s submittals and Staff’s response by Thursday, January 31, 2013;
- 4) Applicant to file its reply to the Staff and Intervenors’ responses by Thursday, February 14, 2013.<sup>6</sup>

The Board finds this proposed schedule reasonable and, accordingly, we adopt it to govern submissions requested in our June 29, 2012, Order.

It is so ORDERED

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

**/RA/**

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Michael C. Farrar, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
July 16, 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) Intervenors Blue Ridge Environmental Defense League (BREDL), Nuclear Watch South (NWS), and the Nuclear Information and Resource Service (NIRS).

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<sup>4</sup> Id. at 16.

<sup>5</sup> See Jointly Proposed Schedule for Submittal of Additional Information (July 11, 2012) at 1–2.

<sup>6</sup> Id. at 2.

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 (Adopting the Parties' Jointly Proposed Schedule for Submittal of Additional Information)** have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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

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Administrative Judge  
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Docket No. 70-3098-MLA

**ORDER (Adopting the Parties' Jointly Proposed Schedule for  
Submittal of Additional Information)**

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[Original signed by Nancy Greathead]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 16<sup>th</sup> day of July 2012