RAS 8477

RELATED CORRESPONDENCE

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OFFICE OF SECRETARY
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ADJUDICATIONS STAFF

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:	)	
	)	Docket No. 70-3103-ML
Louisiana Energy Services, L.P.	)	
	)	ASLBP No. 04-826-01-ML
(National Enrichment Facility)	)	

APPLICANT'S INTERROGATORIES
TO THE ATTORNEY GENERAL OF NEW MEXICO

Pursuant to 10 C.F.R. §§ 2.706(b) Louisiana Energy Services, L.P. ("Applicant") hereby serves Applicant's Interrogatories upon the Attorney General of New Mexico ("AGNM"), Intervenor in the above-captioned case.

Each interrogatory shall be answered fully in writing, under oath or affirmation. Responses shall include all pertinent information known to Intervenor, its officers, directors, members, employees, advisors, representatives or legal counsel. In answering each interrogatory and in responding to each request, it would be appreciated if the interrogatory or request could be recited immediately preceding each answer or response.

These interrogatories and requests shall be continuing in nature as required by 10 C.F.R. § 2.705(e). Thus, any time Intervenor claims information which renders any previous response incorrect, incomplete or which indicates that a response was incorrect or incomplete when made, Intervenor should supplement its previous response to the appropriate interrogatory or request to produce. Also, Intervenor should supplement its response with respect to any question addressing the identity and locations of persons having knowledge of discoverable

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matters, and the identity of each person expected to be called as a witness at the hearing, including the subject matter and subject of the witness' testimony. As required by 10 C.F.R. § 2.705(e), supplements to Intervenor's response must be seasonably submitted, and in no case less than 30 days prior to the scheduled hearing date.

The term "documents" shall include information contained in any tangible medium of expression, including but not limited to, articles, letters, memoranda, notes, graphs, charts, calculations, photographs, electronic communications (including e-mails), data stored on magnetic and optical digital and analog data storage devices, and any other writing of whatever description.

Intervenor is requested to address in its answers Applicant's clarifications of and modifications, changes, and amendments to the License Application, Environmental Report, Safety Analysis Report and other relevant reports which were available to Intervenor prior to these interrogatories. With respect to each interrogatory. Intervenor is further requested to:

1. State the full name, address, occupation, resume and present employer of each person(s) answering the following interrogatories and requests, including the general interrogatories, and designate the interrogatory or the part thereof that such person(s) answered.
2. If the answer to any interrogatory below, or any contention or basis for a contention listed below relies upon one or more calculations:
    a. Describe each calculation and identify any documents setting forth such calculation;
    b. Provide the name and location of each person who performed the calculation and the date the calculation was made;

c. Describe each assumption made in each calculation, to include the value of and basis for each assumption.

d. Describe each constant and variable in each calculation, to include the value and basis for each constant and the source of the data applied to each variable.

e. Provide the results of each calculation.

f. Explain in detail how each calculation provides a basis for the contention.

3. If the answer to any interrogatory or request below relies upon conversations, consultations, correspondence or any other type of communications with one or more individuals:

a. Identify by name and address each such individual;

b. State the educational and professional background of each such individual, including occupation and institutional affiliations;

c. Describe the nature of each communication with such individual, when it occurred, and identify all other individuals involved;

d. Describe the information received from such individuals and explain how it provides a basis for the contention; and

e. Identify each letter, memorandum, tape, note or other record related to each conversation, consultation, correspondence, or other communication with such individuals.

4. In the answer to each interrogatory or request below, identify fully any documents used as the basis for the answer to the interrogatory or related to the subject of the interrogatory, upon which Intervenor intends to rely in establishing the contention or the basis for the contention.

SPECIFIC INTERROGATORIES

Contention TC-ii -- Disposal Cost Estimates

"The bases for Louisiana Energy Services, L.P.'s cost estimates are suspect and the actual cost of disposing of tails will exceed the $5.50 per kilogram uranium (kgU) estimated by LES utilizing information relating to (1) the Urenco contract; and (2) LES cost estimates developed in connection with its Louisiana application."

1. Provide the name, address, profession, employer and area of professional expertise of each person whom the AGNM expects to call as a witness, including any expert witness, at the hearing.
2. Provide the educational and scientific expertise of each witness.
3. Provide the subject matter on which each of the witnesses is expected to testify.
4. Provide the substance of the facts and opinions to which each witness is expected to testify and a summary of the grounds for each opinion, including the documents and all pertinent pages or parts thereof which each witness will rely upon or will otherwise use for his testimony.
5. What is the basis for the statement "[t]he bases for Louisiana Energy Services, L.P.'s cost estimates are suspect? "
6. What is the basis for the statement that "the actual cost of disposing of tails will exceed the $5.50 per kilogram estimated by LES . . ."?
7. Has the AGNM undertaken an independent evaluation of the "actual" cost of disposing of tails? If so, please provide all such documents relevant to any such evaluation.

8. At the time that Contention TC-ii was proffered as a contention, or subsequently, has the AGNM or any of its advisors, representatives, or consultants reviewed the cost estimate prepared in support of the CEC licensing proceeding? If so, please provide the results of that review.

Respectfully submitted,

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Dated at Washington, District of Columbia
this 9th day of September 2004

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:	)	Docket No. 70-3103-ML
Louisiana Energy Services, L.P.	)	ASLBP No. 04-826-01-ML
(National Enrichment Facility)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the "Applicant's Interrogatories to the Attorney General Of New Mexico" in the captioned proceeding have been served on the following by e-mail service, designated by **, on September 9, 2004 as shown below. Additional service has been made by deposit in the United States mail, first class, this 9th day of September, 2004.

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