

**RAS 8943**

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

**DOCKETED 12/07/04**

**SERVED 12/07/04**

Before Administrative Judges:

G. Paul Bollwerk, III, Chairman  
Dr. Paul B. Abramson  
Dr. Charles N. Kelber

In the Matter of

LOUISIANA ENERGY SERVICES, L.P.

(National Enrichment Facility)

Docket No. 70-3103-ML

ASLBP No. 04-826-01-ML

December 7, 2004

ORDER

(Schedule for Motion Responses)

Upon consideration of (1) the December 6, 2004 motion of intervenors Nuclear Information and Resource Service and Public Citizen (NIRS/PC) to compel compliance with discovery schedule by applicant Louisiana Energy Services, L.P., (LES) and the December 7, 2004 LES response to that motion; (2) the December 6, 2004 NRC staff motion in limine to preclude NIRS/PC testimony; and (3) the December 6, 2004 LES motion to restrict the scope of the NIRS/PC prefiled testimony, it is

ORDERED, that an LES response to the December 6, 2004 NIRS/PC motion to compel compliance addressing matters other than NIRS/PC compliance with 10 C.F.R. § 2.323(b), and any NIRS/PC reply to the argument proffered in the December 7, 2004 LES response regarding NIRS/PC compliance with section 2.323(c) shall be filed on or before Monday, December 13, 2004; and it is

FURTHER ORDERED, that any NIRS/PC response to the December 6, 2004 staff and LES filings regarding the NIRS/PC prefiled testimony on environmental contentions shall be filed on or before Monday, December 13, 2004.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD\*

*/RA/*

---

G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland

December 7, 2004

---

\* Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) applicant LES; (2) intervenors New Mexico Environment Department, the Attorney General of New Mexico, and NIRS/PC; and (3) the staff.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
LOUISIANA ENERGY SERVICES, L.P. ) Docket No. 70-3103-ML  
 )  
 )  
(National Enrichment Facility) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (SCHEDULE FOR MOTION RESPONSES) have been served upon the following persons by deposit in the U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
G. Paul Bollwerk, III, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Paul B. Abramson  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Charles N. Kelber  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Lisa B. Clark, Esq.  
Angela B. Coggins, Esq.  
John T. Hull, Esq.  
Darani M. Reddick, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Tannis L. Fox, Esq.  
Deputy General Counsel  
Office of General Counsel  
New Mexico Environment Department  
1190 St. Francis Drive  
Santa Fe, NM 87502-6110

Docket No. 70-3103-ML  
LB ORDER (SCHEDULE FOR MOTION RESPONSES)

James R. Curtiss, Esq.  
David A. Repka, Esq.  
Martin J. O'Neill, Esq.  
Winston & Strawn LLP  
1400 L Street  
Washington, DC 20005-3502

David M. Pato, Esq.  
Stephen R. Farris, Esq.  
Christopher D. Coppin, Esq.  
Assistant Attorneys General  
Glenn R. Smith, Esq.  
Deputy Attorney General  
Office of the New Mexico Attorney General  
P.O. Box Drawer 1508  
Santa Fe, NM 87504-1508

Lindsay A. Lovejoy, Jr.  
618 Paseo de Peralta, Unit B  
Santa Fe, NM 87501

Lisa A. Campagna, Esq.  
Assistant General Counsel  
Westinghouse Electric Company LLC  
P.O. Box 355  
Pittsburgh, PA 15230-0355

John W. Lawrence, Esq.  
Louisiana Energy Services, L.P.  
2600 Virginia Ave., NW, Suite 610  
Washington, DC 20037

[Original signed by Evangeline S. Ngbea]

---

Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 7<sup>th</sup> day of December 2004