

December 14, 2004

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

December 15, 2004 (8:00am)

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

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

JOINT REPORT REGARDING SCHEDULE FOR  
EVIDENTIARY HEARING ON ENVIRONMENTAL CONTENTIONS

Pursuant to the Order of the Atomic Safety and Licensing Board dated December 7, 2004 ("Request for Scheduling Information"), Louisiana Energy Services, L.P. ("LES"), Nuclear Information and Resource Service and Public Citizen ("NIRS/PC"), and the NRC Staff hereby submit this joint report addressing -- (i) the current estimate of the parties as to how long the evidentiary hearing scheduled to be conducted on environmental contentions between February 7 and February 16, 2005 will require, both in toto and as to each of the four environmental contentions that are to be heard during that period; and (ii) the order in which the environmental contentions should be heard. The following schedule reflects the current joint best estimate of LES, NIRS/PC, and the NRC Staff as to the time that will be required and also considers the availability of each party's witnesses. The order in which we would propose that the issues be heard by the Board is as follows:

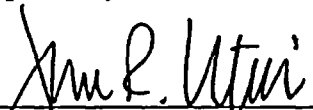
1. February 7 NIRS/PC EC-1 -- Impacts upon Ground and Surface Water
2. February 8 NIRS/PC EC-4 -- Impacts of Waste Storage
3. February 9-10 NIRS/PC EC-2 -- Impacts upon Water Supplies
4. February 14-16 NIRS/PC EC-7 -- Need for the Facility

In the event that additional time is required for consideration of any of the four environmental contentions beyond the above estimates, the parties propose that February 11th be retained as an "overflow" day. While the parties expect that the above schedule can be achieved, retaining this date would accommodate the possibility that additional time may be required.

Counsel for NIRS/PC would note that a modification to the schedule may be necessary as a result of the current status of ADAMS.

Counsel for NIRS/PC and the NRC Staff have authorized counsel for LES to submit this joint report on their behalf.

Respectfully submitted,

  
\_\_\_\_\_  
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Dated at Washington, District of Columbia  
this 14<sup>th</sup> day of December 2004

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of the "JOINT REPORT REGARDING SCHEDULE FOR EVIDENTIARY HEARING ON ENVIRONMENTAL CONTENTIONS" in the captioned proceeding have been served on the following by e-mail service, designated by \*\*, on December 14, 2004 as shown below. Additional service has been made by deposit in the United States mail, first class, this 14<sup>th</sup> day of December 2004.

Chairman Nils J. Diaz  
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Commissioner Edward McGaffigan, Jr.  
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Commissioner Jeffrey S. Merrifield  
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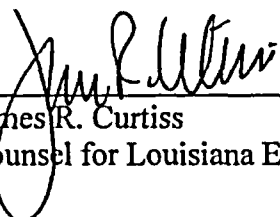
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