

December 21, 2004

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

In the Matter of  
LOUISIANA ENERGY SERVICES, L.P.  
(National Enrichment Facility)  
Docket No. 70-3103; ASLBP No. 04-826-01-ML

Dear Mr. Lovejoy:

On December 17, 2004, the Staff provided to you, by CD, copies of documents from the Staff's hearing file. The intention of providing those documents was to respond to your request for all non-sensitive documents which had been placed in the hearing file following the shut down of ADAMS on October 25, 2004. The Staff has discovered that the individual who prepared the CDs inadvertently provided three documents from ADAMS which should have been withheld as sensitive. Those documents are as follows:

- 1) Hearing File #199 (ML042660058) "Clarifying Information Related to Vehicle Fires"
- 2) Hearing File #206 (ML042950558) "Response to NRC Request for Additional Information Regarding National Enrichment Facility Safety Analysis Report and Emergency Plan"
- 3) Hearing File #207 (ML042860382) "Safety Analysis Report and Integrated Safety Analysis Summary" Rev. 3

As you know, the Staff's determination that these documents are sensitive means that they contain information which could be useful to terrorists and could thereby jeopardize public health and safety. Accordingly, the Staff must request that you return or destroy these documents. In addition, the Staff requests that you make reasonable efforts to request the return or destruction of any copies of the documents you have provided to other individuals or organizations.

On behalf of the Staff, I apologize for the inconvenience this will cause. However, I hope that you appreciate the importance of ensuring that potentially harmful information is not subject to public disclosure. Of course, should you enter into a nondisclosure agreement approved by the Board, you will be provided these documents in full.

A CD containing the non-sensitive documents is being provided to you and all the other parties as an attachment to this letter.

Sincerely,

*/RA/*

Lisa B. Clark  
Counsel for NRC Staff

Attachment: As stated

cc w/att: Tannis Fox, Esq.  
Chris Coppin, Esq.  
Jim Curtiss, Esq.

cc w/o att: G. Paul Bollwerk, Administrative Judge  
Paul Abramson, Administrative Judge  
Charles Kelber, Administrative Judge  
Office of the Secretary  
Office of Commission Appellate Adjudication