

**A. TOBLIN STAFF EXHIBIT 13**

**NIRS/PC EC-1**

July 30, 2004

NEF#04-029

ATTN: Document Control Desk  
Director  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Louisiana Energy Services, L. P.  
National Enrichment Facility  
NRC Docket No. 70-3103

Subject: Revision to Applications for a Material License Under 10 CFR 70, "Domestic licensing of special nuclear material," 10 CFR 40, "Domestic licensing of source material," and 10 CFR 30, "Rules of general applicability to domestic licensing of byproduct material"

- References:
1. Letter NEF#03-003 dated December 12, 2003, from E. J. Ferland (Louisiana Energy Services, L. P.) to Directors, Office of Nuclear Material Safety and Safeguards and the Division of Facilities and Security (NRC) regarding "Applications for a Material License Under 10 CFR 70, Domestic licensing of special nuclear material, 10 CFR 40, Domestic licensing of source material, and 10 CFR 30, Rules of general applicability to domestic licensing of byproduct material, and for a Facility Clearance Under 10 CFR 95, Facility security clearance and safeguarding of national security information and restricted data"
  2. Letter NEF#04-002 dated February 27, 2004, from R. M. Krich (Louisiana Energy Services, L. P.) to Director, Office of Nuclear Material Safety and Safeguards (NRC) regarding "Revision 1 to Applications for a Material License Under 10 CFR 70, "Domestic licensing of special nuclear material," 10 CFR 40, "Domestic licensing of source material," and 10 CFR 30, "Rules of general applicability to domestic licensing of byproduct material"
  3. Letter NEF#04-005 dated March 16, 2004, from R. M. Krich (Louisiana Energy Services, L. P.) to Director, Office of Nuclear Material Safety and Safeguards (NRC) regarding "Response to NRC Request Concerning the Quality Assurance Program Description"

*Kim SSOI  
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for CD AX45*

4. Letter NEF#04-018 dated May 19, 2004, from R. M. Krich (Louisiana Energy Services, L. P.) to Director, Office of Nuclear Material Safety and Safeguards (NRC) regarding "Response to NRC Request for Additional Information Regarding National Enrichment Facility Safety Analysis Report and Emergency Plan"
5. Letter NEF#04-019 dated May 20, 2004, from R. M. Krich (Louisiana Energy Services, L. P.) to Director, Office of Nuclear Material Safety and Safeguards (NRC) regarding "Response to NRC Request for Additional Information Regarding the National Enrichment Facility Environmental Report"

By letter dated December 12, 2003 (Reference 1), E. J. Ferland of Louisiana Energy Services (LES), L. P., submitted to the NRC applications for the licenses necessary to authorize construction and operation of a gas centrifuge uranium enrichment facility. Revision 1 to these applications was submitted to the NRC by letter dated February 27, 2004 (Reference 2).

In March 8 and 12, 2004, conference calls between LES and NRC representatives, clarifications regarding the Quality Assurance Program Description (QAPD) were provided. By letter dated March 16, 2004 (Reference 3), LES provided responses to NRC requests concerning the QAPD.

By letter dated May 19, 2004 (Reference 4), LES provided the responses to NRC Requests for Additional Information (RAI) concerning the Safety Analysis Report (SAR) and the Emergency Plan. In subsequent conference calls between LES and NRC representatives, on June 28 and 30, 2004, and on July 1, 2004, clarifications regarding RAI responses concerning the SAR were provided.

By letter dated May 20, 2004 (Reference 5), LES provided the responses to NRC RAI concerning the Environmental Report. In a subsequent conference call between LES and NRC representatives, on July 15, 2004, clarifications regarding RAI responses concerning the Environmental Report were provided.

During the development of the revision to the SAR to incorporate the Reference 4 letter response to RAI ISA-63, it was identified that the response should be clarified to reflect the final changes made to the SAR. The response to RAI ISA-63 indicated that Items Relied On For Safety (IROFS)S36, which provides the IROFS related to fire sequences, would be segregated such that discrete features that apply to each individual facility fire scenario are clearly identified and that a sub-item designation would be assigned for each combination of administrative features as part of the IROFS function. IROFS36, item 8, required that the design of cabling for all uranic material system power, instrumentation, and control circuits be IEEE-383, "IEEE Standard for Qualifying Class 1E Electric Cables and Field Splices for Nuclear Power Generating Stations," fire resistant cabling. Instead of segregating this design commitment into a sub-item of IROFS36, the requirement was moved to SAR Section 3.1.7.C, Baseline Design Criteria, Fire Protection, since the requirement is related to fire loading impacts and is adequately captured by the IROFS Boundary Definition process that will be implemented for all IROFS, including IROFS related to fire barrier and uranic material component/container integrity. In addition, IROFS36, item 11, required the thermal enclosure surrounding each assay to be constructed of and insulated with non-combustible materials. Instead of segregating this

design commitment into a sub-item of IROFS36, this requirement has been moved to SAR Section 3.1.1.1 and identified as a fire barrier addressed by IROFS35. The remaining items of IROFS36 are revised as indicated in the response to RAI ISA-63.

In the Reference 5 letter, the response to RAI 4-2A provided a complete water balance for the Treated Effluent Evaporative Basin, the Uranium Byproduct Cylinder (UBC) Storage Pad Stormwater Retention Basin, and the Site Stormwater Detention Basin. Subsequent to submittal of the response an error was discovered in the water balance calculation for the UBC Storage Pad Stormwater Retention Basin. In the calculation, the total inflow to the UBC Storage Pad Stormwater Retention Basin accounted for the cooling tower and heating boiler blowdown components along with direct precipitation onto the basin. However, the stormwater runoff component was inadvertently not accounted for in the calculation of total inflow. The calculation has now been revised to account for all inflow components. For the revised UBC Storage Pad Stormwater Retention Basin minimum scenario, outflow due to evaporation continues to exceed all inflows on a monthly basis. For the revised UBC Storage Pad Stormwater Retention Basin maximum scenario, the basin is calculated to have, on average, standing water of 0.3 m (1 ft) or less for approximately ten months of the year. The remaining results, presented in the response to RAI 4-2.A, are not affected by the revision to this calculation.

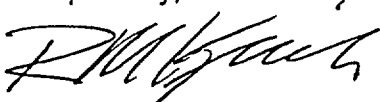
Changes resulting from these RAI responses and the conference call clarifications are reflected in the enclosed Revision 2 to the SAR, Revision 1 of the Emergency Plan, and Revision 2 of the Environmental Report, as applicable. In accordance with 10 CFR 70.5, 40.5, 30.6, "Communications," LES submits one original and 25 copies of this revision to the license application to construct and operate the National Enrichment Facility. To facilitate the incorporation of the revision into the license application, page removal and insertion instructions are enclosed. An updated compact disk (CD), containing all application documents that are not proprietary and/or classified information is also enclosed with the original. The revision to the classified portion of the Fundamental Nuclear Material Control Plan (FNMCP), resulting from the RAI responses and conference call clarifications, is submitted separately in accordance with 10 CFR 95.39, "External transmission of documents and material." The revisions to the unclassified portion of the FNMCP, the Physical Security Plan, the Safeguards Contingency Plan, and the Standard Practice Procedures Plan for the Protection of Classified Matter, resulting from RAI responses and the conference call clarifications, are considered proprietary in accordance with 10 CFR 2.390, "Public inspections, exemptions, requests for withholding," paragraph (d)(1) and are also submitted separately.

The changes included in this revision to the license application predominately result from the RAI responses and conference call clarifications. Some of the changes also involve the correction of identified errata. These errata include minor editorial corrections/clarifications and typographical errors. The license application, updated through the specified revision of each of the affected license application documents, continues to meet the applicable requirements of 10 CFR 70.22, "Contents of applications," 10 CFR 40.31, "Application for specific licenses," and 10 CFR 30.32, "Application for specific licenses," as described in the Reference 1 letter.

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If you have any questions, please contact me at 630-657-2813.

Respectfully,



R. M. Krich  
Vice President – Licensing, Safety, and Nuclear Engineering

Enclosures:

Safety Analysis Report, Revision 2, including page removal and insertion instructions, 25 copies  
Emergency Plan, Revision 1, including page removal and insertion instructions, 25 copies  
Environmental Report, Revision 2, including page removal and insertion instructions, 25 copies  
CD-ROM

cc: T.C. Johnson, NRC Project Manager  
N. Farquhar, Energy/Environment Advisor, State of New Mexico, Office of the Governor  
D. Watchman-Moore, Deputy Secretary, New Mexico Environment Department  
(2 Copies)  
W.S. Field, WIPP Safe Transportation Program Manager, New Mexico Department of  
Public Safety (Emergency Plan portion only)  
D. Powell, Plans Unit Supervisor, Texas Department of Public Safety  
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