

May 26, 2005

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

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

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

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

Dear Administrative Judges:

Pursuant to 10 C.F.R. § 2.336, the Staff hereby provides notice that the LES Hearing File has been updated. The updated pages of the Hearing File Index and Privileged Document List, and an affidavit from the NRC Staff are attached. Please note that the new documents include a draft Safety Evaluation Report (SER). Consistent with Staff practice, the Staff provided a draft version of the SER to LES in order to confirm the factual accuracy of the applicant information reflected in the document and to ensure that proprietary information is not inadvertently released. LES provided the results of its review to the Staff on May 25, 2005. If necessary, the Staff will make any appropriate corrections to the SER before publication as a final document, which is expected to occur by June 15. The Staff will also document its consideration of the potential inaccuracies noted by LES in an internal document which will be made publically available to the extent that it does not contain proprietary information.

The draft SER has been issued in two versions; one which is publically available and one which contains proprietary information. The Staff has withheld from the public version information pertaining to security matters, such as physical protection, which are subject to the provisions of 10 C.F.R. § 2.390(d). The Staff is currently in the process of reassessing whether redacted

documents pertaining to this hearing may be subject to additional public disclosure. The Staff will inform the Board and parties of its determination and any proposed actions to ensure that all documents are properly released to the public as soon as possible.

Sincerely,

*/RA/*

Lisa B. Clark  
Counsel for NRC Staff

Attachments: As stated

cc w/atts: Stephen Farris, Esq.  
Lindsay Lovejoy, Jr., Esq.  
Martin O'Neill, Esq.  
Chris Coppin, Esq.  
Jim Curtiss, Esq.  
David Pato, Esq.  
Glenn Smith, Esq.  
David Repka, Esq.  
Clay Clarke, Esq.  
Tannis Fox, Esq.  
Office of the Secretary  
Office of Commission Appellate Adjudication

**LOUISIANA ENERGY SERVICES  
DOCKET #07003103  
HEARING FILE INDEX**

<b>DOC. NO.</b>	<b>DOC. DATE</b>	<b>U.S NRC ADAMS ACCESSION NUMBER</b>	<b>SENSITIVE</b>	<b>DOCUMENT DESCRIPTION (Titled as input into ADAMS)</b>
389	5/10/2005	ML051220149		Approval of Louisiana Energy Services Request for Withholding Information from Public Disclosure (LES Gas Centrifuge Uranium Enrichment Facility).
390	5/9/2005	ML051300320		05/09/2005 E-mail re: Liability Question for Mr. Johnson of the NRC about Louisiana Energy.
391	5/18/2005	ML051370588		Steven A. Toelle Ltr. Re: Relief Using Hunt Valves.
392	4/20/2005	ML051170225		LTR-05-0228 - Richard Schneider E-Mail re: Lincoln Electric System Final Readiness Audit Report.
393	4/12/2005	ML051300315		E-Mail from P. Barr re: Liability question for Mr. Johnson of the NRC. . .
394	5/9/2005	ML051300320		05/09/2005 E-mail re: Liability Question for Mr. Johnson of the NRC about Louisiana Energy.
395	4/22/2005	ML051330213		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...(Cover Letter)
396	4/22/2005	ML051330218		Enclosure 2, Non-proprietary Version of Updated License Application and ISA Summary Pages.
397	4/29/2005	ML051360178		Louisiana Energy Services, L.P., National Enrichment Facility.Revisions to Applications for a Material License Under 10 CFR 70 & 10 CFR 30 & Updated Safety Analysis Report Pages.

DOC. NO.	DOC. DATE	U.S NRC ADAMS ACCESSION NUMBER	SENSITIVE	DOCUMENT DESCRIPTION (Titled as input into ADAMS)
398	5/11/2005	ML051380321		National Enrichment Facility, Request for Exemption to Certain Provisions of 10 CFR 40.36 and 10 CFR 70.25, "Financial assurance and recordkeeping for decommissioning."
399	5/20/2005	ML051390155		Letter to Mr. Rod Krich, Louisiana Energy Services
400	5/20/2005	ML051390266		Draft Safety Evaluation Report (Non-Proprietary)
401	5/25/2005	ML051460468		Louisiana Energy Services, L.P., Factual Information Comments Regarding Draft Safety Evaluation Report for the National Enrichment Facility

**LOUISIANA ENERGY SERVICES  
DOCKET 07003103  
MANDATORY DISCLOSURE HEARING/ FILE  
PRIVILEGED DOCUMENT LIST**

<b>No.</b>	<b>Document Date</b>	<b>Title/Description Includes Est. Page Count</b>	<b>Explanation</b>
71	4/30/2005	Enclosure 1, Proprietary Version of Updated License Application and ISA Summary Pages (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. . .Hearing File Index #396)	2.390 - proprietary
72	5/26/2005	Louisiana Energy Services Safety Evaluation Report (Proprietary).	2.390 - proprietary

May 26, 2005

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

AFFIDAVIT OF TIMOTHY C. JOHNSON, PROJECT MANAGER CONCERNING  
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. § 2.336(b)

I, Timothy C. Johnson, being first duly sworn, do hereby state as follows:

1. I am employed as the Project Manager for review of the Louisiana Energy Services, L.P., National Enrichment Facility Application in the Office of Nuclear Materials Safety and Safeguards, U.S. Nuclear Regulatory Commission (NRC) in Washington, DC.
2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336(b) and (d) in the above-captioned proceeding have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.
3. I hereby certify that the foregoing is true and complete to the best of my knowledge, information and belief.

***/RA by Brian W. Smith for/***

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Timothy C. Johnson