June 9, 2005

DOCKETED USNRC

June 9, 2005 (4:38pm)

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

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)	ý	

JOINT REPORT REGARDING REVIEW OF PARTIAL INITIAL DECISION (ENVIRONMENTAL CONTENTIONS) FOR PROPRIETARY INFORMATION

This joint report is submitted on behalf of Louisiana Energy Services, L.P. ("LES"), Nuclear Information and Resource Service and Public Citizen ("NIRS/PC"), and the NRC Staff, and responds to the directive set forth in paragraph 6.2 (pp. 83-84) of the Licensing Board's June 8, 2005 Partial Initial Decision (Environmental Contentions).¹ Specifically, the Board directed LES, NIRS/PC, and the Staff to submit a joint filing outlining all proposed redactions of proprietary information from the Board's decision, and indicating any objections to the proposed redactions. The aforementioned parties have reviewed the Board's decision in its entirety, and hereby notify the Board that the text of the decision itself contains no proprietary information that must be withheld from public disclosure. Therefore, the parties do not propose any redactions from the decision.

Notwithstanding, LES notes that the discussion on pages 81 to 82 of the Board's partial initial decision contains references to six LES exhibits (i.e., draft and executed uranium

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¹ Counsel for NIRS/PC and the NRC Staff have authorized counsel for LES to file this joint report on their behalf.

enrichment services contracts between LES and unidentified utilities), and to *in camera* testimony provided by LES witness Kirk Schnoebelen. The cited exhibits and testimony contain information that is proprietary to LES and other commercial entities. Accordingly, the exhibits and testimony should continue to be treated as proprietary.

Respectfully submitted,

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Dated at Washington, District of Columbia this 9th day of June 2005

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of:

Louisiana Energy Services, L.P.

(National Enrichment Facility)

Docket No. 70-3103-ML

ASLBP No. 04-826-01-ML

CERTIFICATE OF SERVICE

I hereby certify that copies of the "JOINT REPORT REGARDING REVIEW OF PARTIAL INITIAL DECISION (ENVIRONMENTAL CONTENTIONS) FOR PROPRIETARY INFORMATION" in the captioned proceeding have been served on the following by e-mail service, designated by **, on June 9, 2005 as shown below. Additional service has been made by deposit in the United States mail, first class, this 9th day of June 2005.

Chairman Nils J. Diaz U.S. Nuclear Regulatory Commission Washington, DC 20555-0001

Commissioner Jeffrey S. Merrifield U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 Commissioner Edward McGaffigan, Jr. U.S. Nuclear Regulatory Commission Washington, DC 20555-0001

Office of the Secretary** Attn: Rulemakings and Adjudications Staff U.S. Nuclear Regulatory Commission Mail Stop O-16C1 Washington, DC 20555-0001 (original + two copies) e-mail: HEARINGDOCKET@nrc.gov

Commissioner Peter B. Lyons U.S. Nuclear Regulatory Commission Washington, DC 20555-0001

Commissioner Gregory B. Jaczko U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 Office of Commission Appellate Adjudication Mail Stop O-16C1 U.S. Nuclear Regulatory Commission Washington, DC 20555

Ron Curry Tannis L. Fox, Esq.** New Mexico Environment Department 1190 St. Francis Drive Santa Fe, NM 87502-6110 e-mail: tannis fox@nmenv.state.nm.us

Administrative Judge G. Paul Bollwerk, III, Chair** Atomic Safety and Licensing Board Panel Mail Stop T-3F23 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 e-mail: gpb@nrc.gov

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Administrative Judge Paul B. Abramson** Atomic Safety and Licensing Board Panel Mail Stop T-3F23 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 e-mail: pba@nrc.gov

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