

RAS 10089

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED 06/20/05

SERVED 06/20/05

Before Administrative Judges:

G. Paul Bollwerk, III, Chairman
Dr. Paul B. Abramson
Dr. Charles N. Kelber

In the Matter of

LOUISIANA ENERGY SERVICES, L.P.

(National Enrichment Facility)

Docket No. 70-3103-ML

ASLBP No. 04-826-01-ML

June 20, 2005

MEMORANDUM AND ORDER
(Review of Cross-Examination Plans)

In accordance with 10 C.F.R. § 2.711(c)(2), in connection with the Licensing Board's recent issuance of its partial initial decision regarding the four admitted environmental contentions (EC) of joint intervenors Nuclear Information and Resource Service and Public Citizen (NIRS/PC), LBP-05-13, 61 NRC __ (June 8, 2005), the Board intends to provide the Office of the Secretary (SECY) with the cross-examination plans submitted by applicant Louisiana Energy Services, L.P. , (LES) the NRC staff, and NIRS/PC on February 4 and 5, 2005. Thereafter, SECY will place these documents in the public docket of this proceeding.

Before doing so, however, the Board requests that these parties review their submissions, particularly those relating to contention NIRS/PC EC-7, Need for the Facility, to ensure they do not contain any proprietary or other sensitive information. The parties should conduct that review, including any necessary interaction with other parties regarding the status of information about which they are uncertain, and advise the Board on or before Monday.

June 27, 2005, of any purported non-public information contained in their cross-examination plans.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

June 20, 2005

* Copies of this memorandum and order were sent this date by Internet e-mail transmission to counsel for (1) applicant LES; (2) intervenors New Mexico Environment Department, the Attorney General of New Mexico, and NIRS/PC; and (3) the staff.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (REVIEW OF CROSS-EXAMINATION PLANS) have been served upon the following persons by deposit in the U.S. mail, first class, or through NRC internal distribution.

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LB MEMORANDUM AND ORDER
(REVIEW OF CROSS-EXAMINATION PLANS)

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[Original signed by Adria T. Byrdsong]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 20th day of June 2005