

RAS 10187

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

DOCKETED 07/25/05

SERVED 07/25/05

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

July 25, 2005

ORDER

(Filing and Responding to Joint Motion to Approve Revised Settlement Agreement)

Upon consideration of (1) the July 22, 2005 settlement agreement status report filed by the Attorney General of New Mexico (AGNM) and the New Mexico Environment Department (NMED); and (2) the July 22, 2005 response of applicant Louisiana Energy Services, L.P., (LES) to that report, it is

ORDERED, that at the time AGNM, NMED, and LES provide the Board with the executed revised settlement agreement, which should be accompanied by a joint motion for approval of the revised settlement agreement, these parties should also provide the Licensing Board and the other parties with a "line-in/line-out"/"redline" version of the revised agreement that reflects the additions/deletions/changes in that document as compared to the initial agreement filed with the Board on June 23, 2005; and it is

FURTHER ORDERED, that (1) party responses to any joint motion for approval of a revised settlement agreement shall be submitted within five days of the date of the filing of that

motion;¹ and (2) the NRC staff's response to that joint motion should discuss how the revised settlement agreement addresses/resolves the concerns reflected in the staff's July 5, 2005 response to the June 23, 2005 joint motion for settlement agreement approval.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD²

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

July 25, 2005

¹ In accordance with 10 C.F.R. § 2.306, if the response filing date falls on a Saturday, Sunday, or legal holiday, a party response shall be filed on the next business day.

² Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) applicant LES; (2) intervenors NMED, the AGNM, and Nuclear Information and Resource Service/Public Citizen; and (3) the staff.

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (FILING AND RESPONDING TO JOINT MOTION TO APPROVE REVISED SETTLEMENT AGREEMENT) 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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Washington, DC 20555-0001

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Docket No. 70-3103-ML
LB ORDER (FILING AND RESPONDING TO
JOINT MOTION TO APPROVE REVISED
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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 25th day of July 2005