

**RAS 10301**

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

**DOCKETED 08/12/05**

**SERVED 08/12/05**

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

August 12, 2005

MEMORANDUM

(Notice Regarding Issuance of Unredacted  
Decision on Late-Filed Contentions)

In an August 4, 2005 publicly available memorandum, the Licensing Board advised that it was issuing that date a ruling denying the July 5, 2005 motion of intervenors Nuclear Information and Resource Service and Public Citizen (NIRS/PC) for the late-filed admission of certain amended and supplemental contentions and referred its rulings to the Commission in accordance with 10 C.F.R. § 2.323(f). As the Board noted, however, the decision was being treated as not subject to public release pending review regarding whether proprietary information was used in the decision. In the decision, the Board also established a process for party input on the issue whether any information contained in the issuance needed to be afforded confidential treatment.

By a joint report dated August 11, 2005, the Board has been advised that the parties have reviewed the decision and are of the view that no proprietary information was used in the August 4, 2005 decision. Accordingly, a copy of the decision, which varies from the version initially provided to the parties only in that the label "Publicly-Available Version" has been

substituted for "Handle as Proprietary Information Pending Review" in the footer at the bottom of each page, has been placed by the Office of the Secretary into the agency's ADAMS electronic record keeping system as a publicly available document with Accession No. ML052240201.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD\*

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G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland

August 12, 2005

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

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM (NOTICE REGARDING ISSUANCE OF UNREDACTED DECISION ON LATE-FILED CONTENTIONS) have been served upon the following persons by deposit in the U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
G. Paul Bollwerk, III, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Paul B. Abramson  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Charles N. Kelber  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Lisa B. Clark, Esq.  
John T. Hull, Esq.  
Darani M. Reddick, Esq.  
David A. Cummings, Esq.  
Kathleen A. Kannler, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Tannis L. Fox, Esq.  
Deputy General Counsel  
Office of General Counsel  
Ron Curry, Secretary  
New Mexico Environment Department  
1190 St. Francis Drive  
Santa Fe, NM 87502-6110

Docket No. 70-3103-ML  
LB MEMORANDUM (NOTICE REGARDING ISSUANCE OF  
UNREDACTED DECISION ON LATE-FILED CONTENTIONS)

James R. Curtiss, Esq.  
David A. Repka, Esq.  
Martin J. O'Neill, Esq.  
Amy C. Roma, Esq.  
Winston & Strawn LLP  
1700 K Street, NW  
Washington, DC 20006

David M. Pato, Esq.  
Stephen R. Farris, Esq.  
Christopher D. Coppin, Esq.  
Assistant Attorneys General  
Glenn R. Smith, Esq.  
Deputy Attorney General  
Office of the New Mexico Attorney General  
P.O. Box Drawer 1508  
Santa Fe, NM 87504-1508

Lindsay A. Lovejoy, Jr.  
618 Paseo de Peralta, Unit B  
Santa Fe, NM 87501

Lisa A. Campagna, Esq.  
Assistant General Counsel  
Westinghouse Electric Company LLC  
P.O. Box 355  
Pittsburgh, PA 15230-0355

John W. Lawrence, Esq.  
Louisiana Energy Services, L.P.  
2600 Virginia Ave., NW, Suite 610  
Washington, DC 20037

[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 12<sup>th</sup> day of August 2005