

RAS 10368

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

DOCKETED 08/25/05

SERVED 08/25/05

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

August 25, 2005

MEMORANDUM AND ORDER
(Denying Motion Regarding Mandatory Hearing Schedule)

After reviewing the revisions to the mandatory hearing schedule set forth in the Licensing Board's August 12, 2005 memorandum and order that are proposed by applicant Louisiana Energy Services, L.P., (LES) in its August 22, 2005 motion,¹ given the current circumstances regarding both the contested and uncontested portions of this proceeding, the Board finds that the proposed schedule is likely to interfere substantially with its ability to (1) reach a timely determination regarding the contested issues in this proceeding; and (2) fully and fairly carry out its responsibility to make the health, safety, and environmental findings required

¹ In its motion, LES indicates it has consulted with the NRC staff and that the staff supports the proposed schedule.

in connection with the uncontested/mandatory hearing portion of this proceeding. Accordingly, the August 22, 2005 LES motion regarding the mandatory hearing schedule is denied.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD²

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

August 25, 2005

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

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (DENYING MOTION REGARDING MANDATORY HEARING SCHEDULE) 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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Docket No. 70-3103-ML
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REGARDING MANDATORY HEARING SCHEDULE)

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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 August 2005