

RAS 10774

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

DOCKETED 11/29/05

SERVED 11/29/05

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

November 29, 2005

MEMORANDUM AND ORDER
(Adopting Transcript Corrections and
Addressing Other Administrative Matters)

Upon consideration of the proposed corrections to the transcripts of the October 24-27, 2005 evidentiary hearing in this proceeding, which were submitted on November 17 and November 18, 2005, by, respectively, applicant Louisiana Energy Services, L.P. (LES) and intervenors Nuclear Information and Resource Service and Public Citizen (NIRS/PC),¹ the transcript of the evidentiary hearing held October 24-27, 2005, is revised per Appendix A to this memorandum and order.

Additionally, it has come to the Licensing Board's attention that the hard copy transcript of the October 2005 hearing may differ from the electronic versions provided to the Board and parties by the court reporter. Accordingly, to maintain consistency in citation of the transcript in

¹ The NRC staff did not submit any proposed transcript corrections to the Licensing Board. Similarly, none of the parties objected to any transcript corrections proposed by any other party.

party filings, the hard copy version of that hearing transcript should be considered the official transcript, and any party filings should cite only to that version of the transcript.²

In addition, during the October evidentiary hearing NIRS/PC Exhibit 276 was identified for the record and offered for admission, but apparently no subsequent action was taken by the Board with regard to its admission. See Tr. at 2768-69. Because no party objected to the admissibility of NIRS/PC Exhibit 276 at the hearing, we now denote that exhibit as admitted.

Finally, consistent with the Board's November 3, 2005 memorandum and order addressing certain post-hearing administrative matters, on November 17, 2005, NIRS/PC submitted a hard copy of NIRS/PC Exhibit 186, which had previously been submitted as a password-protected, read-only electronic file. That hard copy document constitutes the official version of NIRS/PC Exhibit 186 for the evidentiary record, in lieu of the electronic copy provided

² The official transcript would include the transcript corrections adopted by the Board per Appendix A to this memorandum and order, as well as any replacement and/or insertion pages provided to the parties by the court reporter subsequent to the conclusion of the evidentiary hearing.

during the evidentiary hearing, and, consistent with discussions on the record, we denote the hard copy version of this exhibit as admitted.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD³

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

November 29, 2005

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

Appendix A

Corrections to October 24-27, 2005 Transcripts for Louisiana Energy Services, L.P. Proceeding

Page(s)	Line(s)	Delete	Insert
1744	11	CL05-5	CLI-05-5
1744	11	6120NRC22	61 NRC 22
1756	24	salvaged	salvage
1758	16	closed	close
1764	24	Claibourne	Claiborne
1769	1	Claibourne	Claiborne
1775	11	referenced	reference
1776	17	6155A6	61.55(a)(6)
1776	23	61505A	61.55(a)
1783	7	Claibourne	Claiborne
1783	13	Claibourne	Claiborne
1783	15	Claibourne	Claiborne
1797	12	Carter	Cotter
1797	21	engineer	engineered
1807	4	part	footnote
1810	9	neap	NEPA
1811	5	staid	stayed
1811	10	staid	stayed
1812	10	founded	bounded
1818	7	MR. LOVEJOY	CHAIR BOLLWERK
1872	17	2,004	2004
1966	24	empty	emptied
1971	6	heal	heel
1974	23	heal	heel
1975	4	heal	heel

Page(s)	Line(s)	Delete	Insert
1975	17	a proof	approved for
1985	24	heals	heels
1990	6	Kameco	Cameco
1991	9	clearance	calculator
1998	15	MR. RUSH	WITNESS KRICH
2013	22	, Paul,	the panel
2027	15	JUDGE KELBER	WITNESS KRICH
2027	17	JUDGE KELBER	WITNESS KRICH
2027	20	JUDGE KELBER	WITNESS KRICH
2027	22	JUDGE KELBER	WITNESS KRICH
2028	2	JUDGE KELBER	WITNESS KRICH
2028	6	JUDGE KELBER	WITNESS KRICH
2028	14	JUDGE KELBER	WITNESS KRICH
2030	2	MR. LOVEJOY	WITNESS KRICH
2030	6	MR. LOVEJOY	WITNESS KRICH
2031	19	Claibourne	Claiborne
2120	25	now	no
2137	19	hydrochloric	hydrofluoric
2173	11	bounced	bounded
2191	18	cots	cost
2222	21	Nuclear weapon	In that connection
2255	5	authorities	authority's
2259	13	either	other
2269	20	sight	site
2285	4	in	and
2285	12	thru-put	through-put
2291	24	slew	SWU

Page(s)	Line(s)	Delete	Insert
2304	10	strong	storing
2311	20	assume dour	assumed our
2357	16	post-factor	post-facto
2370	7	sad	said
2371	18	on	one
2386	3	confident	competent
2406	2	Fleur	Fluor
2406	6	Fleur	Fluor
2406	9	Fleur	Fluor
2406	10	Fleur	Fluor
2409	14	mark a DHF	market HF
2411	16	enlarge	and large
2420	23	Fleur	Fluor
2430	17	purity	purify
2527	11	estimate	escalate
2562	6	rams	rems
2570	14	no	not
2622	23	pathway	PATHRAE
2648	11	Bayer	Baird
2653	7	sit	it
2654	16	plain	plane
2654	16	plain	plane
2671	3	license ability	licensability
2676	3	loved	lived
2676	21	there	the
2680	19	done	don't
2686	1	if	it

Page(s)	Line(s)	Delete	Insert
2686	18	and at what	in a wet
2690	16		"MR. LOVEJOY:" before "We had"
2696	23	sighted	sited
2701	11	president	precedent
2706	19	milligrams	millirems
2708	25	milligrams	millirems
2709	14	milligram	millirem
2709	24	been placed	been emplaced
2714	13	710	170
2718	2	Croft	Croff
2718	17	eh	the
2719	5	Croft	Croff
2725	10	Croft	Croff
2739	17	DIES	DEIS
2749	14	Tuwell	Tooele
2766	19	clarify	classify
2772	12	Ad	And
2792	13	waste control specialist	Waste Control Specialists
2792	21	waste control specialist	Waste Control Specialists
2851	24	CASE	case
2857	15-16	underneath	on the NEF
2865	22	asses	assess
2867	6	asses	assess
2880	18	4	44
2883	15	of	a
2886	23	pathway	PATHRAE
2888	1	Claibourne	Claiborne

Page(s)	Line(s)	Delete	Insert
2891	24	judgement	judgment
2892	3-4	waste isolation pilot plan	Waste Isolation Pilot Plant
2892	6	waste isolation pilot plan	Waste Isolation Pilot Plant
2899	9	analyzes	analyzed
2917	4	revenue	review
2920	22	Croft	Croff
2924	9	Croft's	Croff's
2926	15	Croft	Croff
2927	25	Craft	Croff
2928	15	Bear	Berra
2930	21-22	the Committee	John Hickey
2938	19	mine	mined
2943	22	Claibourne	Claiborne
2944	14	Claibourne	Claiborne
2953	23	Claibourne	Claiborne
2961	17	the	they
2961	22	non-traditional	not really
2983	1	reasonably	reasonable
3020	7	believed	believe
3023	17	Phreeque	PHREEQC
3027	11	Phreeque	PHREEQC
3028	19	Phreeque	PHREEQC
3035	7	Phreeque	PHREEQC
3038	23	Claibourne	Claiborne
3039	2	Claibourne	Claiborne
3039	6	Claibourne	Claiborne
3053	20	mean	means

Page(s)	Line(s)	Delete	Insert
3057	7	discus	discuss
3082	4	environment	Envirocare
3092	15	submission	admission
3098	22	in	and
3099	5	Rock	Rocky
3099	8	principals	principles
3113	12	t	that
3121	6	principals	principles
3121	19	MR. LOVEJOY	CHAIR BOLLWERK
3123	17	les	LES
3156	3	EC	deep
3169	25	is	is with
3170	20	aluminum	alumina
3171	2	boxite	bauxite
3171	4	boxite	bauxite
3173	8	Oakridge	Oak Ridge
3173	11	scale	Scale
3179	1	incase	in case

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
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LOUISIANA ENERGY SERVICES, L.P.) Docket No. 70-3103-ML
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)
(National Enrichment Facility))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (ADOPTING TRANSCRIPT CORRECTIONS AND ADDRESSING OTHER ADMINISTRATIVE MATTERS) 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 MEMORANDUM AND ORDER (ADOPTING
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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 29th day of November 2005