

**From:** Michael Markley  
**To:** Jeffry Sharkey; Joseph Gray; Margaret Doane; Maria Lopez-Otin; Roger Davis  
**Date:** 1/21/04 9:00AM  
**Subject:** Fwd: LES Acceptance Letter

Joe,

Attached is the letter that was released improperly. The acceptance should not have any impact on the proposed Order. The following individuals were sent the letter and the retraction:

William Szymanski/DOE  
James Curtiss/Winston & Strawn  
Mario Robles/USEC  
Betty Richman/Town of Tatum, NM  
Glen Hackler/Town of Andrews, TX  
Dennis Holmberg/Lea County, NM  
Richard Ratliff/State of Texas  
James Brown/Town of Eunice, NM

We recommend proceeding with the letter using its original issue date, rather than confusing the issue by having the same letter in the public domain with separate issue dates. Please advise us of the your Commission-level view on this matter. When do you expect the Order to be finalized?

Michael Markley  
Senior Regional Coordinator and Program Engineer  
Office of the Executive Director for Operations  
U.S. Nuclear Regulatory Commission  
Phone (301) 415-1722  
Fax (301) 415-2162  
e-mail: MTM@nrc.gov

**CC:** Carl Paperiello; Thomas Bergman; William Dean; William Travers

DB

**From:** Joseph Holonich  
**To:** Markley, Michael  
**Date:** 1/20/04 12:48PM  
**Subject:** Fwd: LES Acceptance Letter

**From:** Dwight Walker  
**To:** BWS1; DAA1; DAS; DBD; Dholmberg@leacounty.net; DJH2; DTM; Ghackler1@juno.com; Jcurtiss@winston.com; jdbrowniii@hotmail.com; JGG; JJH1; JKE; JLH; JXL; KGO; LBC; LXG3; MCW; mSC1; RCP; RDH1; RET; Richard.ratliff@tdh.state.tx.us; Roblesm@usec.com; ROV; ScF; SFG; TCJ; TEH; TownofTatum@leaCo.net; TrC; VTM; WaM; William.szymanski@hq.doe.gov; YHF  
**Date:** 1/20/04 10:57AM  
**Subject:** LES Acceptance Letter

January 16, 2004

Mr. Rod Krich, Vice President  
Licensing, Safety, and Nuclear Engineering  
Louisiana Energy Services  
1133 Connecticut Avenue NW, Suite 200  
Washington, DC 20036

**SUBJECT: LICENSE APPLICATION FOR THE NATIONAL ENRICHMENT FACILITY -  
ACKNOWLEDGMENT OF RECEIPT**

Dear Mr. Krich:

We have received your application, including an Environmental Report and Integrated Safety Analysis (ISA) Summary, dated December 12, 2003, to possess and use, for 30 years, special nuclear, source, and by-product material in the National Enrichment Facility (NEF). The NEF, which is to be located in Eunice, New Mexico, is proposed to enrich uranium up to an assay level of 5 percent U-235. We have completed our administrative review of your application and Environmental Report and have found it acceptable for review.

A copy of your correspondence has been forwarded to our License Fee and Accounts Receivable Branch, Office of the Controller, who will contact you separately for billing if your request is subject to full cost recovery.

If you have any questions regarding these actions, I can be reached at (301) 415-7299.

Sincerely,

/RA/

Timothy C. Johnson, Project Manager  
Special Projects Section  
Special Projects and Inspection Branch  
Division of Fuel Cycle Safety  
and Safeguards,  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 70-3103

cc: William Szymanski/DOE  
James Curtiss/W&S  
Mario Robles/USEC  
James Ferland/LES  
Dennis Holmberg/Lea County  
James Brown/Eunice  
Bobby Walloch/Hobbs  
Michael Marriotte/NIRS  
Lee Cheney/CNIC

Claydean Claiborne/Jal  
Troy Harris/Lovington  
Betty Richman/Tatum  
Glen Hackler/Andrews  
William Floyd/New Mexico  
Richard Ratliff/Texas  
Jerry Clift/Hartsville  
Derrith Watchman-Moore/New Mexico

NMS

January 16, 2004

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Office of Nuclear Material Safety  
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Docket No. 70-3103

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Claydean Claiborne/Jal  
Troy Harris/Lovington  
Betty Richman/Tatum  
Glen Hackler/Andrews  
William Floyd/New Mexico  
Richard Ratliff/Texas  
Jerry Cliff/Hartsville  
Derrith Watchman-Moore/New Mexico

**DISTRIBUTION:** SPIB r/f FCSS, r/f Hearing file  
RPierson JHolonich YFaraz MChatterton  
TCombs, OCA RVirgilio, OSTP JLieberman/OGC MWong/DWM  
THarris/DWM KEverly/NSIR SGagner/OPA DMcIntyre/OPA  
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RTrojanowski/RII D Ayres/RII KO'Brien/RIII VMitlyng/RIII  
DHartland/RIII WMaier/RIV DDandois/CFO

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OFC	SPIB		SPIB		SPIB		OGC		DWM	
NAME	TJohnson/dw		LGross		BSmith		LClark		SFlanders	
DATE	1/ 14 /04		1/ 15 / 04		1/ 15 /04		1/ 17 /04		1/ 15 /04	

OFC	SPIB	
NAME	JGitter	
DATE	1/ 16 /04	