

March 1, 2006

DOCKETED
USNRCUNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

March 1, 2006 (12:26pm)

BEFORE THE ATOMIC SAFETY AND LICENSING BOARDOFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of:

Louisiana Energy Services, L.P.

(National Enrichment Facility)

Docket No. 70-3103-ML

ASLBP No. 04-826-01-ML

**SECOND JOINT REPORT REGARDING REDACTION OF
PROPRIETARY INFORMATION FROM THE FEBRUARY 2006
HEARING TRANSCRIPT AND ASSOCIATED PROPRIETARY EXHIBITS****I. INTRODUCTION**

In accordance with the Licensing Board's order of February 16, 2006,¹ and the parties' February 24, 2006 joint report,² Louisiana Energy Services, L.P. ("LES"), Nuclear Information and Resource Service and Public Citizen ("NIRS/PC"), and the NRC Staff submit this joint report regarding the treatment of proprietary information contained in the record of the February 13, 2006 evidentiary hearing.³ As set forth below, the parties are not proposing any redactions to the hearing transcript itself; however, the parties are identifying a number of exhibits that should be withheld, or continue to be withheld, from public disclosure. One of those exhibits includes NIRS/PC Exhibit 188, which the Board admitted into evidence in

¹ See Memorandum and Order (Post-Hearing Administrative Matters) (unpublished) (Feb. 16, 2006).

² See "Joint Report Regarding Redaction of Proprietary Information from February 2006 Hearing Transcript and Associated Proprietary Exhibits" (Feb. 24, 2006).

³ Counsel for NIRS/PC and the NRC Staff have authorized counsel for LES to file this joint report on their behalf.

October 2005, but which the parties inadvertently excluded from their November 15, 2005 list of proprietary exhibits.⁴

II. IDENTIFICATION OF PROPRIETARY TESTIMONY/EXHIBITS

A. The February 13, 2006 Hearing Transcript

The parties have completed their review of the February 13, 2006 hearing transcript, including the prefiled written testimony contained therein. The parties agree that no redactions to the transcript are necessary, even with respect to prefiled testimony that was previously labeled as "proprietary information" or "protected material." Accordingly, the transcript may be released in its current unredacted form.

B. Identification of Newly Admitted Proprietary Hearing Exhibits

With respect to those exhibits that were first offered and admitted into evidence on February 13, 2006, the parties request that the following proprietary exhibit be withheld, in its entirety, from public disclosure: **NIRS/PC Exhibit 284**. None of the LES or Staff-sponsored exhibits first admitted into evidence on February 13, 2006 require treatment as proprietary documents.

C. Continued Nondisclosure of Proprietary Exhibits From the October 2005 Hearings

Subsequent to the October 24-27 evidentiary hearings, the parties identified those exhibits admitted during the October hearings which should be withheld as proprietary. *See* November 2005 Joint Report at 2. Those exhibits include the following:

- **LES Exhibits:** 86, 87, 88, 89, 90, 91, 94, 95, 98, 105, 110
- **NIRS/PC Exhibits:** 100, 190, 221, 224, 229, 233, 234, 236, 237, 242, 243, 270, and 271

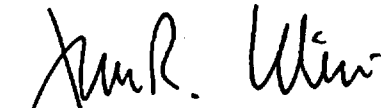
⁴ See "Additional Joint Report Regarding Redaction of Proprietary Information From October 2005 Hearing Transcript and Associated Proprietary Exhibits" (Nov. 15, 2005) (November 2005 Joint Report").

The February 2006 transcript contains references to a number of these previously admitted exhibits (e.g., NIRS/PC Exh. 229, LES Exh. 91). The parties request that all of the above-identified exhibits continue to be withheld from disclosure as proprietary.

D. Request to Withhold Previously Admitted NIRS/PC Exhibit 188 As Proprietary

While reviewing the February 13, 2006 hearing transcript and associated exhibits, counsel for LES discovered a prior oversight. Specifically, NIRS/PC Exhibit 188, which is an April 8, 2005 correspondence (NEF#05-017) from Rod M. Krich to the Director of NMSS, contains proprietary attachments, and, as such, should have been identified as proprietary in the November 2005 Joint Report referenced above. Accordingly, the parties request that NIRS/PC Exhibit 188 be added to the list of proprietary exhibits and be withheld from public disclosure.

Respectfully submitted,



James R. Curtiss, Esq.
David A. Repka, Esq.
Martin J. O'Neill, Esq.
WINSTON & STRAWN LLP
1700 K Street, N.W.
Washington, DC 20006-3817
(202) 282-5000

John W. Lawrence, Esq.
LOUISIANA ENERGY SERVICES, L.P.
100 Sun Avenue, NE
Suite 204
Albuquerque, NM 87109

Dated at Washington, District of Columbia
this 1st day of March 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	Docket No. 70-3103-ML
)	
Louisiana Energy Services, L.P.)	ASLBP No. 04-826-01-ML
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CERTIFICATE OF SERVICE

I hereby certify that copies of the "SECOND JOINT REPORT REGARDING REDACTION OF PROPRIETARY INFORMATION FROM THE FEBRUARY 2006 HEARING TRANSCRIPT AND ASSOCIATED PROPRIETARY EXHIBITS" in the captioned proceeding has been served on the following by e-mail service, designated by **, on March 1, 2006 as shown below. Additional service has been made by deposit in the United States mail, first class, this 1st day of March 2006.

Chairman Nils J. Diaz
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Commissioner Jeffrey S. Merrifield
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Commissioner Edward McGaffigan
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Commissioner Gregory B. Jaczko
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Commissioner Peter B. Lyons
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Office of the Secretary**
Attn: Rulemakings and Adjudications Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-16C1
Washington, DC 20555-0001
(original + two copies)
e-mail: HEARINGDOCKET@nrc.gov

Office of Commission Appellate
Adjudication
Mail Stop O-16C1
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Lindsay A. Lovejoy, Jr.**
618 Pasco de Peralta, Unit B
Santa Fe, NM 87501
e-mail: lindsay@lindsaylovejoy.com

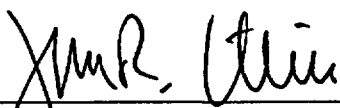
Administrative Judge
Charles N. Kelber**
Atomic Safety and Licensing Board Panel
Mail Stop T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
e-mail: cnkelber@aol.com

Lisa A. Campagna**
Assistant General Counsel
Westinghouse Electric Co., LLC
P.O. Box 355
Pittsburgh, PA 15230-0355
e-mail: campagla@westinghouse.com

Office of the General Counsel**
Attn: Associate General Counsel for
Hearings, Enforcement and
Administration
Lisa B. Clark, Esq.**
Margaret J. Bupp, Esq.**
Mail Stop O-15D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
e-mail: OGCMailCenter@nrc.gov
e-mail: lbc@nrc.gov
e-mail: mjb5@nrc.gov

Administrative Judge
Paul B. Abramson**
Atomic Safety and Licensing Board Panel
Mail Stop T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
e-mail: pba@nrc.gov

Administrative Judge
G. Paul Bollwerk, III, Chair**
Atomic Safety and Licensing Board Panel
Mail Stop T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
e-mail: gpb@nrc.gov



James R. Curtiss
Counsel for Louisiana Energy Services, L.P.