

RAS 11690

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

DOCKETED 05/31/06

SERVED 05/31/06

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

May 31, 2006

MEMORANDUM AND ORDER
(Review of Cross-Examination Plans)

In accordance with 10 C.F.R. § 2.711(c)(2), in connection with the Licensing Board's issuance today of its third partial initial decision regarding the three admitted safety-related contentions of joint intervenors Nuclear Information and Resource Service and Public Citizen (NIRS/PC), the Board intends to provide the Office of the Secretary (SECY) with the cross-examination plans submitted by applicant Louisiana Energy Services, L.P., (LES) the NRC staff, and NIRS/PC during the October 2005 and February 2006 evidentiary hearing sessions. Thereafter, SECY will place these documents in the public docket of this proceeding.

Before doing so, however, the Board requests that these parties review their submissions to ensure they do not contain any proprietary or other sensitive information. The parties should conduct that review, including any necessary interaction with other parties regarding the status of information about which they are uncertain based on prior nondisclosure claims, and advise the Board on or before Tuesday, June 6, 2006, of any purported non-public information contained in their cross-examination plans. Once the Board has received these party filings, it will make a determination about what portions, if any, of the cross-examination

plans must be withheld, and provide SECY with publicly-available versions of those plans for inclusion in the public docket.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

May 31, 2006

* 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.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (REVIEW OF CROSS-EXAMINATION PLANS) 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
LB MEMORANDUM AND ORDER (REVIEW OF CROSS-EXAMINATION
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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 31st day of May 2006