

**RAS 11728**

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

**DOCKETED 06/07/06**

**SERVED 06/07/06**

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

June 7, 2006

MEMORANDUM AND ORDER

(Clarification of May 31, 2006 Memorandum and Order)

In response to a May 31, 2006 Licensing Board memorandum and order, applicant Louisiana Energy Services, L.P. (LES), intervenors Nuclear Information and Resource Service and Public Citizen (NIRS/PC), and the NRC staff<sup>1</sup> each notified the Board that their respective cross-examination plans from the October 2005 and February 2006 evidentiary hearings in this proceeding did not, to their knowledge, contain any proprietary information that would require redaction before those plans could be placed in the public docket by the Office of the Secretary (SECY). None of those party responses indicated, however, whether the parties had consulted with one another regarding the content of their respective cross examination plans (which presumably have never been seen by the other parties), as the Board's May 31 memorandum and order indicated might be useful in determining the presence of any potentially proprietary information.

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<sup>1</sup> In this regard, the parties are once again reminded that Internet e-mail pleadings are not favored by the Board. E-mail should be reserved for transmitting electronic copies of motions and pleadings rather than as a substitute for such filings.

So that information claimed to be proprietary or otherwise sensitive is not inadvertently made publically available by the Board and SECY, the parties should consult with one another regarding the presence of proprietary/sensitive information in their respective cross-examination plans and, if necessary, exchange cross-examination plans to facilitate that discussion. On or before Friday, June 9, 2006, the parties should notify the Board by joint report as to whether each of the party cross-examination plans can be placed in toto in the public docket.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>2</sup>

*/RA/*

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G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland

June 7, 2006

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<sup>2</sup> 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.

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 (CLARIFICATION OF MAY 31, 2006 MEMORANDUM AND ORDER) 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 (CLARIFICATION OF  
MAY 31, 2006 MEMORANDUM AND ORDER)

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[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 7<sup>th</sup> day of June 2006