



10 CFR 2.390

## OCT 2 1 2008

NEF-08-00268-NRC

Director

Office of Nuclear Material Safety and Safeguards U.S. Nuclear Regulatory Commission Attn: Document Control Desk 11555 Rockville Pike Rockville, MD 20852

> Louisiana Energy Services, LLC National Enrichment Facility NRC Docket No. 70-3103

Subject: Request for Additional Information Response for the Separations Building Modules License Amendment Request

- Reference: 1) NEF-08-00095-NRC, Letter from LES to NRC, License Amendment Request for the National Enrichment Facility to provide an alternate sole Item Relied On For Safety (IROFS) for minimizing UF<sub>6</sub> releases after a Design Basis Earthquake (DBE) (LAR-08-07), May 28, 2008.
  - IN-08-00156-NRC, NRC Request for Additional Information on the Separations Building Modules License Amendment Request (LAR-08-07), September 30, 2008.
  - NEF-08-00182-NRC, Letter from LES to NRC, Results of Final Criticality Calculations and commitment for the Quality Assurance (QA) Plan that will be imposed for Quality Level (QL)-2N requirements, July 24, 2008.

On May 28, 2008, Louisiana Energy Services (LES) requested an amendment to the Materials License for the National Enrichment Facility to authorize changes in the applicability of IROFS for the Separations Building Modules (SBMs) for natural phenomena events (Ref. 1).

LES received a Request for Additional Information (RAI) from the NRC on September 30, 2008 (Ref. 2). Enclosure 2 provides the LES response to the NRC's RAI. Enclosures 3, 4, 5 and 6 are the calculations requested in Questions 6 and 12 of the NRC RAI. Reference 3 contains the final criticality calculations and commitment for the Quality Assurance (QA) Plan that were developed in support of the initial LES LAR-08-07 (Ref.1). This calculation is applicable to the LAR-08-07 revision submittal being transmitted under separate cover. LES requests that the

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information contained in Enclosures 2, 3, 4, 5 and 6 to this letter be withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations Part 2.390(a)(4). An affidavit requesting the withholding of information provided in the license amendment request is provided in Enclosure 1, as required by Title 10 of the Code of Federal Regulations Part 2.390(b)(1).

In addition to this RAI response, LES is transmitting under separate cover letter a revision to its License Amendment Request (LAR-08-07) that makes changes related to the structural design, the designation of Items Relied on for Safety, and the implementation of the Quality Assurance Program. These changes were discussed with members of your staff in a telecom on September 17, 2008 and September 22, 2008.

If you have any questions, please direct them to Steve Cowne, Quality and Regulatory Affairs Director, at 505-394-5253.

Respectfully,

Jerome A. Reed for Gregory OD Smith Chief Operating Officer and Chief Nuclear Officer

Enclosures: 1) Affidavit

2) RAI Response for SBM LAR-08-07

3) ETC Calculation, Risk of Nuclear Criticality Induced by a Seismic Event Affecting the NEF Cascade System

4) ETC Calculation, Risk of Criticality Induced by a Seismic Event Affecting the NEF

5) Areva Calculation, Assessment of Local Intense Precipitation at NEF for ISA and Design Basis

6) Areva Calculation, Local Intense Precipitation Flood Study for the NEF Site

cc:

USNRC, Region II (with attachments) Sam Nunn Atlanta Federal Center, 23 T85 61 Forsyth Street, SW Atlanta, GA 30303-8931

Timothy C. Johnson Senior Project Manager Enrichment & Conversion Branch Division of Fuel Cycle Safety and Safeguards Mail Stop: T-8A33 11545 Rockville Pike Rockville, MD 20852-2738

Deborah A. Seymour Chief, Construction Projects Branch 1 U.S. Nuclear Regulatory Commission Region II Sam Nunn Atlanta Federal Center, 23 T85 61 Forsyth Street SW Atlanta, GA 30303-8931

Cynthia D. Taylor Senior Project Inspector Sam Nunn Atlanta Federal Center, 23 T85 61 Forsyth Street, SW Atlanta, GA 30303-8931

## ENCLOSURE 1, AFFIDAVIT

I, Jerome Reed, Vice President of Operations of Louisiana Energy Services, LLC at the National Enrichment Facility, make the following representations that to the best of my knowledge and beliefs:

- 1. Louisiana Energy Services wishes to have withheld from public disclosure, the following document:
  - Letter No. NEF-08-00268-NRC, Enclosure 2, RAI Response for SBM LAR-08-07
  - Letter No. NEF-08-00268-NRC, Enclosure 3, ETC Calculation, Risk of Nuclear Criticality Induced by a Seismic Event Affecting the NEF Cascade System
  - Letter No. NEF-08-00268-NRC, Enclosure 4, ETC Calculation, Risk of Criticality Induced by a Seismic Event Affecting the NEF
  - Letter No. NEF-08-00268-NRC, Enclosure 5, Areva Calculation, Assessment of Local Intense Precipitation at NEF for ISA and Design Basis
  - Letter No. NEF-08-00268-NRC, Enclosure 6, Areva Calculation, Local Intense Precipitation Flood Study for the NEF Site
- 2. The information contained in the documents cited in 1 above for which exemption from public disclosure is requested is 1) proprietary information related to commercial aspects of the National Enrichment Facility and 2) related to emergency planning and thus security related aspects of the National enrichment Facility. This type of information is routinely protected by LES and has been withheld from public disclosure by the NRC in the past.
- 3. The information in these documents describes in detail changes which are proposed to our facility and future buildings which can and will have a significant impact on their cost structure. This knowledge has been gained from several years worth of work by our company and millions of dollars of expense. As a result, public disclosure of the information in the letter has the potential to result in substantial harm to the competitive position of Louisiana Energy Services and reduce or foreclose the availability of profit opportunities.
- 4. Louisiana Energy Services therefore requests that this information be exempt from disclosure pursuant to the provisions in Title 10 of the Code of Federal Regulations Parts 2.390(a)(4) and 2.390(d)(1). The information stated in this affidavit has been submitted in accordance with NRC regulations in 10 CFR Section 2.390 and guidance contained in NUREG-1556.

s. lud <u>/o-11-07</u> Date he Reed

Jerome Reed Vice President of Operations Louisiana Energy Services, LLC National Enrichment Facility

I certify the above named person appeared before me and executed this document on this  $\frac{2P}{day}$  day of  $\frac{2008}{day}$ .

ΛA OFFICIAL SEAL uМ Cindy Y. Owens NOTARY PUBLIC STATE OF NEW ME ly Commission Expires:

My commission expires: (2 - 1/2 - 1/3)