

70-3070  
Post Office Box 1004  
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December 15, 1993

Mr. John W. N. Hickey, Chief  
Enrichment Branch  
Division of Fuel Cycle Safety  
and Safeguards, NMSS  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Subject: Docket No.: 70-3070  
Louisiana Energy Services  
Claiborne Enrichment Center  
CANT Request for DEIS Comment Period Extension  
File: 6046-00-2001.01

Dear Mr. Hickey:

The request by Citizens Against Nuclear Trash (CANT) dated December 9, 1993, to extend the comment period for NUREG-1484, "The Claiborne Enrichment Center (CEC) Draft Environmental Impact Statement" (DEIS) for at least 90 days, through April 10, 1994, should be denied.

10 CFR § 51.73 provides an adequate amount of time, i.e., 45 days, to review the DEIS. A significant portion, if not all, of the technical information presented in the DEIS has been available in Louisiana Energy Services' (LES) Environmental Report for almost three years and has already been commented upon by CANT in its contentions (reference CANT's contentions dated October 3, 1991) and in its answers to LES' interrogatories (reference CANT's June 12, 1992, answers to LES' interrogatories). Thus, CANT has already shown it is intimately familiar with the technical information in the DEIS. Therefore, LES can only assume that CANT intends, by this request, to delay the licensing proceeding.

As CANT is well aware any delay in the DEIS comment resolution process will result in a delay in issuance of the FES, and will delay the licensing hearing (see the ASLB schedule in its May 7, 1992, Memorandum and Order). Although we sympathize with Ms. Walker's personal difficulties, the Commission noted that personal or other obligations or fewer resources than other parties does not relieve that party of its hearing obligations, Statement of Policy on Conduct of Licensing Proceedings, CLI-81-8, 13 NRC 452, 454 (1981).

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December 15, 1993

Mr. John W. N. Hickey, Chief

Page 2

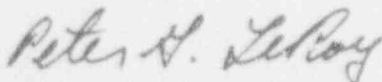
Contrary to CANT's assertion that CANT "has never requested an extension of any deadlines until now," CANT has requested, and been granted, several extensions in the past. These extensions are delineated below:

- August 12, 1991 - CANT motions for extension of deadline for filing contentions and request for expedited consideration.
- January 7, 1993 - CANT motions for extension of time to respond to applicant's motion to compel.
- January 15, 1993 - CANT responds to applicant's motion and requests delay in responding to certain interrogatories.

This is not to say that all delays can be attributed to CANT's extensions, but most delays in the project that have occurred up until now are part of the normal licensing process, and are not the result of attempts to delay. And, since the CEC is the first facility of this kind to be licensed in the United States, the request for additional information process has been more protracted than normal. However, LES responses to NRC's requests for additional information have been as expeditious as possible. These delays have provided people who are truly interested in the licensing of the CEC more than ample opportunity to review the Environmental Report prepared for the CEC. Also, in light of CANT's extensive access to most of the material in the DEIS, it is clear from the additional time requested that this is just an attempt by CANT to delay the project, since granting the request would triple the comment period allowed under 10 CFR § 51.73.

Please call me at (704) 382-2834 if there are any questions concerning this.

Sincerely,



Peter G. LeRoy  
Licensing Manager

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December 15, 1993  
Mr. John W. N. Hickey, Chief  
Page 3

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