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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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OFFICE OF SECRETARY
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
Louisiana Energy Services, L.P.)	Docket No. 70-3070-ML
)	
(Claiborne Enrichment Center))	
)	

NRC STAFF'S ANSWER TO
"LOUISIANA ENERGY SERVICES' MOTION
PROPOSING A SITE VISIT BY THE PARTIES"

INTRODUCTION

On February 15, 1994, Louisiana Energy Services ("LES") in response to the Licensing Board's February 3, 1994, "Notice To The Parties Regarding Proposed Site Visit," moved that the Licensing Board and the parties to this proceeding participate in a site visit to Urenco facilities in Almelo, the Netherlands and Gronau, Federal Republic of Germany that are similar to the Claiborne Enrichment Center ("Motion").¹ Pursuant to 10 C.F.R. § 2.730(c), the NRC staff ("Staff") hereby files its answer to LES' motion.

DISCUSSION

LES proposes that the Licensing Board and the parties to this proceeding participate in a site visit that would be "an information gathering tour" providing the participants the

¹ "Louisiana Energy Services' Motion Proposing A Site Visit By The Parties," dated February 15, 1994.

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opportunity for observing the equipment, processes, and activities associated with operating a centrifuge uranium enrichment facility. The proposed tour also would focus on the interaction of the facilities with the surrounding communities. Motion at 2-3. LES points out that the Staff and its consultants have made similar tours. *Id.* at 2. The Staff opposes LES' motion.

While the Staff has made several visits to Urenco facilities during the course of its review of the application,² it does not believe that LES has made a convincing showing that a site visit would materially assist in developing a sound record in this proceeding. The Board must resolve the matters in controversy on the basis of the sufficiency of the application as augmented by the record developed in this proceeding. If there were some specific pending issue or issues which could be effectively resolved with a site visit with due regard for evidentiary considerations, the Staff might not oppose the LES motion. The Staff is not aware, however, of any pending issue that would be materially aided and appropriately dealt with in the context of the Commission's Rules of practice, e.g. 10 C.F.R. § 2.743, by a visit. In addition, while the proposed site visit might be generally informative, it does not seem warranted when considering the substantial costs to the Commission.³

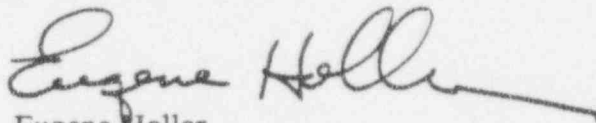
² On January 25, 1994, the Staff issued the U.S. Nuclear Regulatory Commission, "Safety Evaluation Report for the Claiborne Enrichment Center, Homer, Louisiana," NUREG-1491, January 1994, which documents the Staff's review and evaluation regarding the safety issues which are to be addressed in the safety phase of this proceeding.

³ Using LES' cost figures (the Staff has not further investigated the costs associated with such a trip), the cost to the Commission would be at least \$13,000 (\$2600 x 5 - the Licensing Board, a Staff attorney and one Staff technical person).

CONCLUSION

For the reasons discussed above, the Staff opposes the LES motion that the Licensing Board and the parties to this proceeding participate in a site visit to Urenco facilities similar to the Claiborne Enrichment Center.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Eugene Holler". The signature is written in dark ink and extends across the width of the text block below it.

Eugene Holler
Richard G. Bachmann
Counsel for NRC Staff

Dated at Rockville, Maryland
this 7th day of March, 1994

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NUCLEAR REGULATORY COMMISSION

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LOUISIANA ENERGY SERVICES, L.P.) Docket No. 70-3070-ML
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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S ANSWER TO 'LOUISIANA ENERGY SERVICES' MOTION PROPOSING A SITE VISIT BY THE PARTIES'" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or as indicated by an asterisk through deposit in the Nuclear Regulatory Commission's internal mail system, this 7th day of March, 1994:

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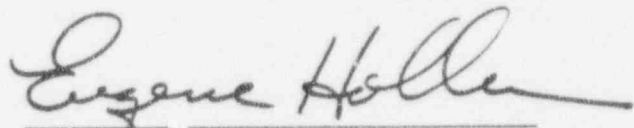
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