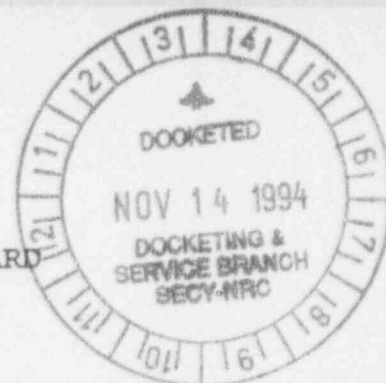


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UNITED STATES OF AMERICA
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of
Louisiana Energy Services
(Claiborne Enrichment Center)

Docket No. 70-3070-*ML*

**CITIZENS AGAINST NUCLEAR TRASH'S MOTION FOR CLARIFICATION
OF NOVEMBER 9, 1994, MEMORANDUM AND ORDER**

On November 9, 1994, the Licensing Board issued a Memorandum and Order which granted the Motion to Compel filed by Intervenor, Citizens Against Nuclear Trash, regarding interrogatories 40, 44-52, and 58, and document production requests 10-14. Memorandum and Order (Ruling on Intervenor's October 5, 1994 Motion to Compel). The Licensing Board also denied the Applicant's two motions for protective orders, which sought protection from interrogatories 59 and 60 and document production request 19.¹ Id. Intervenor seeks clarification with respect to the Licensing Board's Order as it pertains to Applicant's motions for protective orders.²

- ¹ Interrogatory 59 seeks information on charitable contributions made by LES during the site selection process. Interrogatory 60 and document request 19 seek information and documents regarding contacts between LES and Senator J. Bennett Johnston during the site selection process.
- ² Applicant's first motion for a protective order, filed on September 16, 1994, sought protection from interrogatories 59 and 60. (This motion also sought protection from discovery relating to the racial identity of individuals interviewed during the site selection process, but Intervenor accepted Applicant's statement that it did not have the requested information, and therefore Intervenor did not pursue the matter.)

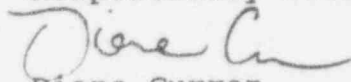
Applicant's second motion for a protective order, filed on September 20, 1994, sought protection from document request 19. The Intervenor responded to both of these motions on

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Because the Licensing Board denied Applicant's motions for protective orders, Intervenor believes that the Applicant is required to answer interrogatories 59 and 60 and document request 19, which are the subject of Applicant's motions.³ On the other hand, LES believes that it is not required to do so, because the Licensing Board's order does not specifically reference interrogatories 59 and 60 and document request 19.

Until this misunderstanding is resolved, the parties are unable to schedule depositions on the site selection process. Accordingly, CANT requests clarification that the November 9 order requires the Applicant to answer interrogatories 59 and 60 and document request 19; or, in the alternative, a new order requiring that they be answered.

Respectfully submitted,



Diane Curran
Harmon, Curran, Gallagher, and
Spielberg
6935 Laurel Avenue, Suite 204
Takoma Park, MD 20912
(301) 270-5518

November 14, 1994

(continued)

October 5, 1994. See Response of Citizens Against Nuclear Trash to Applicant's Motions for Protective Order.

- ³ The Applicant did not seek a protective order on any other relevant aspect of CANT's discovery. Although the Applicant's motions for a protective order mentioned the Applicant's general objection to discovery related to the site selection process (which includes interrogatories 40, 44-52, and 58), the Applicant did not move for a protective order because it had decided to answer the discovery requests. Moreover, neither of the motions for a protective order mentioned document production requests 10-14 at all.

CERTIFICATE OF SERVICE

I, Diane Curran, certify that on November 14, 1994, copies of the foregoing CITIZENS AGAINST NUCLEAR TRASH'S MOTION FOR CLARIFICATION OF NOVEMBER 9, 1994, MEMORANDUM AND ORDER were served by fax and/or first-class mail on the following parties, as indicated below:

*Thomas S. Moore, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Off. of Appellate Adjudication
U.S. Nuclear Regulatory Comm.
Washington, D.C. 20555

*Richard F. Cole
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Peter G. LeRoy
Duke Engineering
230 South Tron Street
P.O. Box 1004
Charlotte, NC 28201-1004

*Frederick J. Shon
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

W.H. Arnold, President
LES, L.P.
2600 Virginia Ave. N.W.,
Suite 608
Washington, D.C. 20037

*Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Nathalie M. Walker, Esq.
SCLDF
400 Magazine St., Suite 401
New Orleans, LA 70130

*Eugene Holler, Esq.
Office of General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

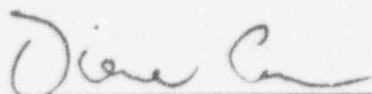
Marcus A. Rowden, Esq.
Fried, Frank, Harris, etc.
1101 Pennsylvania Av. N.W.,
Suite 900S
Washington, D.C. 20004

*J. Michael McGarry, III, Esq.
Robert L. Draper, Esq.
Winston & Strawn
1400 L Street N.W.
Washington, D.C. 20005-3502

David S. Bailey, Esq.
Thomas J. Henderson, Esq.
Lawyers' Committee for Civil
Rights Under Law
1450 G Street N.W., Suite 410
Washington, D.C.

Ronald Wascom, Deputy Asst. Secretary
Office of Air Quality & Radiation Protection
Department of Environmental Quality
P.O. Box 82135
Baton Rouge, LA 70884

* also by fax


Diane Curran

