

April 28, 2004

Alan S. Rosenthal, Presiding Officer
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555

Richard F. Cole, Special Assistant
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555

In the Matter of
NUCLEAR FUEL SERVICES, INC.
(Material License Amendment-3)
Docket No. 70-143-MLA-1, 2 & 3

Dear Administrative Judges:

The NRC Staff hereby provides notice of a correction to the NFS Privilege Log. As you may recall, this Privilege Log was provided by attachment to an April 16, 2004 letter from NRC Staff Counsel and it identified documents which are related to the application but which were not included in the Hearing File because no publically available version of the document exists. The Privilege Log also provided the rationale for withholding the documents identified. When providing the rationale for withholding the document listed as "P5" on the Privilege Log, the document was incorrectly identified as "sensitive security information" instead of the correct designation as "Safeguards Information." A corrected Privilege Log is attached. The Staff will keep the parties informed as to any other changes necessary or additions to the Hearing File and/or Privilege Log as the need arises.

Sincerely,

/RA/

Angela B. Coggins
Counsel for NRC Staff

Attachment: As stated

cc: C. Todd Chapman, Esq.
Daryl M. Shapiro, Esq.
Sean Barnett, Esq.
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Atomic Safety and Licensing Board Panel

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Neil J. Newman, Esq.
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NUCLEAR FUEL SERVICES, INC. - PRIVILEGE LOG¹

No.	Document Description	Document Date	Privilege Asserted
P1	NFS Letter, "Proposed Revisions to the NFS Emergency Plan to Support the Uranyl Nitrate Building at the BLEU Complex"	03/08/2002	sensitive security information
P2	NFS-Rev. 6 to Emergency Plan for License SNM-124	07/05/2002	sensitive security information
P3	NFS Letter, "Proposed Revisions to the NFS Emergency Plan to support the BLEU Preparation Facility (BPF)"	10/16/2002	sensitive security information
P4	Attachment to a public letter (ML023010280, Hearing File #27) subject, "Basis for Decommissioning Cost Estimate for Uranyl Nitrate Building"	10/18/2002	proprietary
P5	NFS Letter, "Physical Security Plan for SNM of Low Strategic Significance, NFS-SEC-C3-PSP, Rev. 0"	12/17/2002	safeguards information
P6	Proprietary attachment to NFS letter (ML030720174, Hearing File # 40), "Nuclear Criticality Safety Evaluation for the BLEU Complex Uranyl Nitrate Building, Revision 2"	03/10/2003	proprietary
P7	Submittal of Six Controlled Copies of the NFS Emergency Plan, Revision 7	06/03/2003	sensitive security information
P8	Attachment II to 10/23/03 Letter, "Decommissioning Cost Estimate,"	10/23/2003	proprietary
P9	Clarified Drawings for Proprietary ISA Summary for OCB/EPB Amendment Dated 10/23/03, Received 12/04/03	10/23/2003	proprietary
P10	Proposed Revisions to the NFS Emergency Plan to support the Oxide Conversion Building (OCB) and Effluent Processing Building (EPB)	10/24/2003	sensitive security information

¹ This Log does not include proprietary versions of documents where the non-proprietary version was included in the Hearing File. This Log only contains those documents for which there is no publically available version.

No.	Document Description	Document Date	Privilege Asserted
P11	Revision 0 to "Nuclear Criticality Safety Evaluation for the Effluent Process Building Ammonia Recovery and Liquid Waste Processes."	11/03/2003	proprietary
P12	Proprietary attachment to public NFS letter, "Response to Further Clarification of Question 39 Regarding License Amendment Request for BLEU Preparation Facility" (ML033450447, Hearing File # 75)	12/05/2003	proprietary
P13	Proprietary Attachment I to public NFS letter, "Revised Response to Question 34 and Additional Information for Questions 32 and 33 Regarding License Amendment Request for BLEU Preparation Facility" (Letter and non-proprietary Attachment II, ML033490196, Hearing File # 76).	12/10/2003	proprietary
P14	E-mail from J. Scott Kirk, NFS, to T. Fredrichs, NRC; Subject: Financial Assurance for OCB and EPB	03/23/2004	proprietary
P15	E-mail to J. Scott Kirk, NFS, from Thomas Fredrichs, NRC, re: Financial Assurance for OCB and EPB.	03/24/2004	proprietary