

RAS 8065



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RON CURRY
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June 7, 2004

DOCKETED
USNRC

June 30, 2004 (9:52AM)

Ms. Annette L. Vietti-Cook
Secretary
United States Nuclear Regulatory Commission
Washington, D.C. 20555-0001

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

SERVED June 30, 2004

Re: In the Matter of Louisiana Energy Services, L.P., National Enrichment Facility,
Docket No. 70-3103

Dear Ms. Vietti-Cook:

Thank you for your reply to Governor Bill Richardson's request for full state participation in all proceedings concerning the application of Louisiana Energy Services, L.P. (LES) to the Nuclear Regulatory Commission (NRC). As you are aware, LES has submitted an application to the NRC for a license to authorize construction and operation of the National Enrichment Facility, a gas centrifuge uranium enrichment plant, to be located in Lea County, New Mexico.

As stated in Governor Richardson's letter, this request is particularly aimed at ensuring that assurances made to the State of New Mexico concerning the safe and timely disposal of all depleted uranium byproduct, are met.

In the NRC's response you state that, due to procedural rules, the NRC must remain impartial during the pendency of cases and therefore cannot entertain New Mexico's request. We fully appreciate the NRC's role in these proceedings and will forward a copy of this request to the Atomic Safety and Licensing Board. Nonetheless, I must again assert that this issue is of the utmost importance to New Mexico.

I understand your rules and I hope you can understand New Mexico's position as well. It is imperative that the State has an opportunity to participate fully in this proceeding in order to ensure that the facility, if licensed, is operated safely and protects the citizens of New Mexico

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and their environment. This is an issue of local voices being heard on a subject of vast local importance.

As the State in which LES proposes to locate, New Mexico must be entitled to put forth all its positions on issues in the proceeding before the NRC, Louisiana Energy Services, L.P., National Enrichment Facility, Docket No. 70-3103.

Sincerely,



Ron Curry

Cabinet Secretary

New Mexico Environment Department

cc: Governor Bill Richardson
Chairman Nils J. Diaz, NRC
G. Paul Bollwerk III, Atomic Safety and Licensing Board
Charles Kelber, Atomic Safety and Licensing Board
Paul Abramson, Atomic Safety and Licensing Board

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

LOUISIANA ENERGY SERVICES, L.P.

(National Enrichment Facility)

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Docket No. 70-3103-ML

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER FROM RON CURRY TO ANNETTE L. VIETTI-COOK RESPONDING TO HER 05/24/04 LETTER TO GOVERNOR BILL RICHARDSON have been served upon the following persons by deposit in the U.S. mail, first class, or through NRC internal distribution.

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Docket No. 70-3103-ML
LETTER FROM RON CURRY TO ANNETTE L.
VIETTI-COOK RESPONDING TO HER 05/24/04
LETTER TO GOVERNOR BILL RICHARDSON

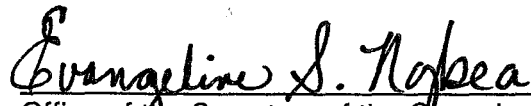
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Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 30th day of June 2004