

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSIONBEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
LOUISIANA ENERGY SERVICES, L.P.	)	Docket No. 70-3103
	)	
(National Enrichment Facility)	)	
	)	

NRC STAFF RESPONSE TO THE NEW MEXICO ATTORNEY GENERAL'S  
PETITION FOR LEAVE TO FILE A MOTION FOR RECONSIDERATION

Pursuant to the Atomic Safety and Licensing Board's Order (Schedule for Reconsideration Responses) of July 23, 2004, and in light of the New Mexico Attorney General's ("AGNM") "Status Report Regarding the Designation of Lead Party on AGNM Technical Contention I and NIRS/PC Environmental Contention 5 and Technical Contention 2" ("Status Report"), filed today, July 29, 2004, the Staff presently takes no position on the AGNM's Petition for Leave to File a Motion for Reconsideration. The Staff was prepared to request that, should the AGNM's request be granted, the Board require coordination between the parties to avoid duplication of evidence, and that the coordination take the form of a discovery and litigation plan detailing the respective roles of the AGNM and NIRS regarding the contention at issue. Because it is unclear what information will be included in the forthcoming written proposal referenced in the AGNM's Status Report, the Staff requests the right to provide a more detailed response upon submission of the written proposal.

Respectfully submitted,

**/RA/**Angela B. Coggins  
Counsel for NRC StaffDated at Rockville, Maryland  
this 29<sup>th</sup> day of July, 2004

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NUCLEAR REGULATORY COMMISSION

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LOUISIANA ENERGY SERVICES, L.P. )

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) Docket No. 70-3103

) ASLBP No. 04-826-01-ML  
)

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO THE NEW MEXICO ATTORNEY GENERAL'S PETITION FOR LEAVE TO FILE A MOTION FOR RECONSIDERATION" in the above-captioned proceedings have been served on the following by deposit in the United States mail; through deposit in the Nuclear Regulatory Commission's internal system as indicated by an asterisk (\*), and by electronic mail as indicated by a double asterisk (\*\*) on this 29th day of July, 2004.

Administrative Judge \* \*\*

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