

**RELATED CORRESPONDENCE**DOCKETED  
USNRC**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD**

September 20, 2004 (12:57PM)

**OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF**

Before Administrative Judges:

G. Paul Bollwerk, III, Chairman  
Dr. Paul B. Abramson  
Dr. Charles N. KelberIn the Matter of )  
)LOUISIANA ENERGY SERVICES, L.P. )  
)(National Enrichment Facility) )  
)

Docket No. 70-3103-ML

ASLBP No. 04-826-01-ML

**NEW MEXICO ATTORNEY GENERAL'S RESPONSE TO  
NRC STAFF'S REQUESTS FOR ADMISSION****REQUEST FOR ADMISSION NO. 1:**

Do you admit that if, at the NEF, the DUF6 is converted to U3O8 only by upgrading the HF product to anhydrous HF, no calcium fluoride (CaF2) would be produced?

The New Mexico Attorney General ("Attorney General") admits that if the DUF6 is converted to U3O8 only by upgrading the HF product to anhydrous HF that no calcium fluoride (CaF2) would be produced insofar as the anhydrous HF is marketable. If the anhydrous HF is not marketable, it must be neutralized and CAF2 would be produced. The Attorney General, however, denies that Louisiana Energy Services, L.P. has proffered any plan to convert DUF6 to U3O8 by upgrading the HF product to anhydrous HF "at the NEF."

**REQUEST FOR ADMISSION NO. 2:**

Do you admit that if, at the NEF, the DUF6 is converted to U3O8 only by upgrading the HF product to anhydrous HF, no magnesium fluoride (MgF2) would be produced?

The Attorney General admits that if the DUF6 is converted to U3O8 only by upgrading the HF product to anhydrous HF that no magnesium fluoride (MgF2) would be produced insofar as the anhydrous HF is marketable. If the anhydrous HF is not marketable, it must be neutralized. MgF2 is generally produced when DUF6 is converted to a metal. The Attorney General, however, denies that Louisiana Energy Services, L.P. has proffered any plan to convert DUF6 to U3O8 by upgrading the HF product to anhydrous HF "at the NEF."

Respectfully submitted,

PATRICIA A. MADRID  
Attorney General



Glenn R. Smith  
Deputy Attorney General  
Christopher D. Coppin  
Special Counsel  
Stephen R. Farris  
David M. Pato  
Assistant Attorneys General  
P. O. Drawer 1508  
Santa Fe, NM 87504  
Telephone: (505) 222-9035  
Facsimile: (505) 827-4440

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the NEW MEXICO ATTORNEY GENERAL'S RESPONSE TO NRC STAFF'S REQUESTS FOR ADMISSION have been served upon the following persons by electronic mail, facsimile, and/or first class U.S. mail this 20<sup>th</sup> day of September, 2004:

Office of Commission Appellate  
Adjudication

U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Paul B. Abramson

Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: [pba@nrc.gov](mailto:pba@nrc.gov)

Dennis C. Dambly, Esq.  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: [dcd@nrc.gov](mailto:dcd@nrc.gov)

Administrative Judge

G. Paul Bollwerk, III, Chair  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: [gp@nrc.gov](mailto:gp@nrc.gov)

Administrative Judge  
Charles N. Kelber  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: [cnk@nrc.gov](mailto:cnk@nrc.gov)

Tannis Fox, Esq.  
Clay Clarke, Esq.  
Assistant General Counsel  
State of New Mexico Environment Dep't  
1190 St. Francis Drive  
Santa Fe, NM 87502-6110  
E-mail: [clay\\_clarke@nmenv.state.nm.us](mailto:clay_clarke@nmenv.state.nm.us)

James R. Curtiss, Esq.  
Winston & Strawn LLP  
Washington, DC 20005-3502  
E-mail: [jcurtiss@winston.com](mailto:jcurtiss@winston.com)

Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Attn: Rulemaking & Adjudications  
Staff  
Washington, DC 20555-0001  
Facsimile: (301) 415-1101  
E-mail: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

Lisa Cook, Esq.  
Angela Coggins, Esq.  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mails: [lbc@nrc.gov](mailto:lbc@nrc.gov)  
[ABC1@nrc.gov](mailto:ABC1@nrc.gov)

Lindsay A. Lovejoy, Jr., Esq.  
618 Paseo de Peralta, Unit B  
Santa Fe, NM 87501  
E-mail: [lindsay@lindsaylovejoy.com](mailto:lindsay@lindsaylovejoy.com)

Office of General Counsel  
U.S. Nuclear Regulatory Commission  
Attn: Assoc. Gen. Counsel for Hearings,  
Enforcement & Administration  
Washington, DC 20555-0001  
Facsimile: (301) 415-3725

  
David M. Pato  
Assistant Attorney General



## Attorney General of New Mexico

**PATRICIA A. MADRID**  
Attorney General

**STUART M. BLUESTONE**  
Chief Deputy Attorney General

**GLENN R. SMITH**  
Deputy Attorney General

September 20, 2004

Secretary of the Commission  
United States Nuclear Regulatory Commission  
Attn: Rulemaking and Adjudications Staff  
Washington, D.C. 20555-0001  
Facsimile: (301) 415-1101

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

Dear Rulemaking and Adjudications Staff:

Enclosed is the original and three copies of the New Mexico Attorney General's Response to NRC Staff's Requests for Admission. The New Mexico Attorney General would appreciate it if you would kindly file, endorse and return a copy in the enclosed self-addressed, stamped envelope provided herewith.

Thank you for your assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "David M. Pato".

David M. Pato  
Assistant Attorney General  
New Mexico Attorney General's Office

Enclosures