

RELATED CORRESPONDENCE

September 23, 2004
DOCKETED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

September 24, 2004 (7:30AM)

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of:

Louisiana Energy Services, L.P.

(National Enrichment Facility)

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Docket No. 70-3103-ML

ASLBP No. 04-826-01-ML

APPLICANT'S OBJECTIONS AND RESPONSES TO INTERROGATORIES
FROM NEW MEXICO ATTORNEY GENERAL

INTERROGATORY NO. 1

Please state the name, business address, and job title of each person who was consulted and/or who supplied information for responding to interrogatories. Specifically note for which interrogatories each such person was consulted and/or supplied information. If the information or opinions of anyone who was consulted in connection with your response to an interrogatory or request for admission differs from your written answer to the discovery request, please describe in detail the differing information or opinions, and indicate why such differing information or opinions are not your official position as expressed in your written answer to the request.

RESPONSE:

Rod Krich

Vice President – Licensing, Safety, and Nuclear Engineering
Louisiana Energy Services, L.P.
2600 Virginia Avenue, NW, Suite 610
Washington, DC 20037

Daniel Green

Senior Consulting Engineer
EXCEL Services Corporation
10921 Rockville Pike, Suite 100
Rockville, MD, 20852

These individuals were consulted with respect to each of the AGNM interrogatories. They did not supply differing information or opinions.

INTERROGATORY NO. 2

To the extent that Louisiana Energy Services, L.P. has not previously produced documents pertaining to the New Mexico Attorney General's admitted contention, please identify and produce all such documents not previously produced, including any documents, notes, calculations, e-mails, and other correspondence relating to the cost-estimates provided in Section 10 of the Safety Analysis Report and all communications, including with whom, when, and the substance, between LES, or anyone on their behalf, and either the NRC or DOE on the subject of the admitted contention.

RESPONSE:

With the exception of any additional documents that are being produced in response to the AGNM's specific requests for production, all documents in the possession of LES relevant to the AGNM's admitted contention have been previously produced as part of LES's mandatory initial disclosures.

INTERROGATORY NO. 3

For the Attorney General's admitted contention, give the name, address, profession, employer, area of professional expertise, and educational and scientific experience of each person whom Louisiana Energy Services, L.P. expects to call as a witness at the hearing. For purposes of answering this interrogatory, the educational and scientific experience of expected witnesses may be provided by a resume of the person attached to the response.

RESPONSE:

With regard to the issues raised by the AGNM concerning LES's use of the Urenco contract as a basis for LES's cost estimates for depleted uranium disposition, LES's witness will be:

Chris Chater

Manager, Business Support and Strategy for Urenco Enrichment Company
Urenco Enrichment Company
18 Oxford Road
Marlow
Bucks
SI72NL
United Kingdom

With regard to the issues raised by the AGNM concerning LES's use of the estimates employed in the Claiborne Enrichment Center license application as a basis for LES's cost estimates for depleted uranium disposition, LES's witnesses will be:

Michael H. Schwartz

Chairman of the Board
Energy Resources International, Inc.
1015 18th Street, NW
Suite 650
Washington, DC 20036

Rod Krich

Vice President – Licensing, Safety, and Nuclear Engineering
Louisiana Energy Services, L.P.
2600 Virginia Avenue, NW, Suite 610
Washington, DC 20037

Resumes for these individuals are attached.

INTERROGATORY NO. 4

For the Attorney General's admitted contention, identify the qualifications of each expert witness whom Louisiana Energy Services, L.P., expects to call at the hearing, including but not limited to a list of all publications authored by the witness within the preceding ten years and a listing of any other cases in which the witness has testified as an expert at a trial, hearing or by deposition within the preceding four years.

RESPONSE:

LES objects to this request on the ground that it is a broad, unparticularized request not specifically related to the AGNM issues admitted in this proceeding. In addition, LES objects on the ground that responding to the question would be overly burdensome. Notwithstanding and without waiving these objections, LES refers the AGNM to its response to Interrogatory No. 3.

INTERROGATORY NO. 5

In calculating the Depleted UF6 disposal costs as identified in Table 10.3-1 of the NEF Safety Analysis Report, identify and fully explain the rationale behind averaging the total of the projected costs for tails disposition derived from the Claiborne Enrichment Center ("CEC") facility, the Lawrence Livermore National Labs ("LLNL") study, the experiences from Urenco, and the Uranium Disposition Services ("UDS") contract, as opposed to averaging the costs of each of the components (*i.e.*, conversion, disposal, transportation) from each of these sources and relying on the sum of each of the component's averages.

RESPONSE:

LES objects to this request on the grounds that it seeks information outside the scope of contention AGNM TC-ii, as admitted by the Licensing Board. Specifically, the scope of contention AGNM TC-ii is limited to LES's use of information from (1) "the Urenco contract" and (2) LES cost estimates developed in connection with the Claiborne Enrichment Center license application. *Louisiana Energy Servs., L.P.* (National Enrichment Facility), LBP-04-14, 60 NRC __ (July 19, 2004) (slip op. at 2, Appendix A). This question goes beyond the scope of the issues raised in AGNM TC-ii, in that it seeks information concerning the use by LES of the information in the LLNL study and the UDS contract, neither of which is within the scope of the admitted contention. LES objects to this request on the grounds that it requires LES to prepare additional documentation and additional analyses beyond those already prepared and

produced, and which are not needed to support LES's position on any particular matter. See 10 C.F.R. § 2.705(b)(5)(ii).

INTERROGATORY NO. 6

Identify and fully explain which, if any, of the sources relied upon in calculating Louisiana Energy Services, L.P., depleted UF6 disposal costs take into account the costs of long-term storage of the depleted UF6 on the premises, including in such explanation any and all documents, calculations or other materials which show the extent to which long term storage of depleted UF6 was included in calculating the UF6 disposal costs.

RESPONSE:

See LES Response to Interrogatory 5, *supra*, and the objections stated therein, which are incorporated by reference in response to this interrogatory. In this regard, LES further notes that the issue of long-term storage costs was first raised by the AGNM in a reply pleading, and that the Commission affirmed the Licensing Board's decision not to consider that information because it was first submitted as part of a reply pleading. See *Louisiana Energy Servs., L.P. (National Enrichment Facility)*, CLI-04-25, 60 NRC __ (Aug. 18, 2004) (slip op. at 2-3).

INTERROGATORY NO. 7

Explain Louisiana Energy Services, L.P., position regarding the necessity of consideration of the costs of long-term or indefinite storage in the dispositioning of the depleted UF6 and provide all documents, calculations, other materials and a summary of any testimony that supports that position.

RESPONSE:

See LES Responses to Interrogatories 5 and 6, *supra*, and the objections stated therein, which are incorporated by reference in response to this interrogatory.

INTERROGATORY NO. 8

Identify and explain the governmental, institutional and operational similarities and differences between the Urenco facility in the Netherlands and the proposed facility in Eunice, New Mexico.

RESPONSE:

LES objects to this request on the grounds that it (1) is vague and ambiguous in its use of the phrases "governmental, institutional and operational similarities and differences;" (2) seeks information that is not reasonably calculated to lead to the discovery of admissible evidence in this proceeding; (3) seeks information outside the scope of any admitted AGNM contention; and (4) is unduly broad and burdensome. LES also objects to this request on the grounds that it requires LES to prepare additional documentation and additional analyses beyond those already prepared and produced, and which are not needed to support LES's position on any particular matter. *See* 10 C.F.R. § 2.705(b)(5)(ii).

INTERROGATORY NO. 9

Identify and explain the governmental, institutional and operational similarities and differences between the proposed CEC facility and the proposed facility in Eunice, New Mexico.

RESPONSE:

See LES Responses to Interrogatory 8, *supra*, and the objections stated therein, which are incorporated by reference in response to this interrogatory.

INTERROGATORY NO. 10

State whether LES currently has a disposal contract in place for the expected depleted UF₆ from the NEF and, if not, provide the names and addresses of any persons, companies or other entities with whom LES plans to enter into such agreement and the dates such agreement is expected to be entered.

RESPONSE:

LES objects to this request on the grounds that it (1) seeks information that is not reasonably calculated to lead to the discovery of admissible evidence in this proceeding, and (2) seeks information outside the scope of any admitted AGNM contention. Specifically, the scope of contention AGNM TC-ii is limited to LES's use of information from (1) "the Urenco contract" and (2) LES cost estimates developed in connection with the Claiborne Enrichment Center license application. *Louisiana Energy Servs., L.P.* (National Enrichment Facility), LBP-04-14, 60 NRC __ (July 19, 2004) (slip op. at 2, Appendix A). LES also objects to this request on the ground that it lacks a legal or regulatory foundation, insofar as the "plausible strategy" standard does not *require* LES to identify a specific disposal site or to enter into a "disposal contract." See "Answer of Louisiana Energy Services, L.P. to the New Mexico Environment's Request for Hearing and Petition for Leave to Intervene" (Apr. 19, 2004), at 22, 27-29. Cf. *Louisiana Energy Servs., L.P.* (National Enrichment Facility), CLI-04-25, 60 NRC __ (Aug. 18, 2004) (slip op. at 4) ("While a "plausible strategy" for private conversion of the tails does not mean a definite or certain strategy, to include completion of all necessary contractual arrangements, it must represent more than mere speculation."). Notwithstanding and without waiving these objections, if LES decides to utilize a deconversion facility to dispose of its DUF₆ and rely upon that fact in this proceeding, then LES will provide necessary responses to relevant requests for interrogatories, documentation, and requests for document production.

INTERROGATORY NO. 11

Please explain whether LES currently plans to convert depleted UF₆ on an ongoing basis while the NEF is in operation and, if not, why.

RESPONSE:

LES objects to this request on the grounds that it (1) seeks information that is not reasonably calculated to lead to the discovery of admissible evidence in this proceeding, and (2) seeks information outside the scope of any admitted AGNM contention. Specifically, the scope of contention AGNM TC-ii is limited to LES's use of information from (1) "the Urenco contract" and (2) LES cost estimates developed in connection with the Claiborne Enrichment Center license application. *Louisiana Energy Servs., L.P. (National Enrichment Facility)*, LBP-04-14, 60 NRC __ (July 19, 2004) (slip op. at 2, Appendix A). Whether LES intends to convert UF₆ "on an ongoing basis" is irrelevant to the admitted contention. Notwithstanding and without waiving these objections, if LES decides to utilize a deconversion facility to dispose of its DUF₆ and rely upon that fact in this proceeding, then LES will provide necessary responses to relevant requests for interrogatories, documentation, and requests for document production

INTERROGATORY NO. 12

Provide all evidence that supports the belief that the CaF₂ conversion products will be of sufficient purity that they could be sold for unrestricted use.

RESPONSE:

See LES Responses to Interrogatory No. 11, *supra*, and the objections stated therein, which are incorporated by reference in response to this interrogatory. Whether CAF₂ will be of sufficient purity to permit its resale is irrelevant to the admitted contention.

INTERROGATORY NO. 13

Explain how LES will dispose of the conversion products if they are not of sufficient purity that they could be sold for unrestricted use and specify, quantify, and explain in detail the additional costs that LES will incur if the conversion products are not of sufficient purity that they could be sold for unrestricted use.

RESPONSE:

See LES Responses to Interrogatory No. 11, *supra*, and the objections stated therein, which are incorporated by reference in response to this interrogatory. LES also objects to this request on the grounds that it requires LES to prepare additional documentation and additional analyses beyond those already prepared and produced, and which are not needed to support LES's position on any particular matter. See 10 C.F.R. § 2.705(b)(5)(ii).

INTERROGATORY NO. 14

What is the name of the supplier with which Urenco has a contract for DUF_6 to DU_3O_8 conversion. Reference page 10.3-3 of the NEF SAR.

RESPONSE:

LES has previously identified the identity of the "supplier for DUF_6 to DU_3O_8 conversion" referred to on page 10.3-3. See LES mandatory initial disclosures at LES-PRO-00018 to LES-PRO-00025.

INTERROGATORY NO. 15

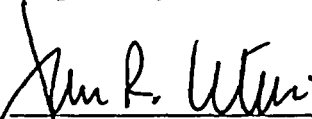
Describe the process that this supplier, identified in Interrogatory No. 14, uses to convert DUF_6 to DU_3O_8 , the byproducts of this conversion, and the radioactive concentrations of the conversion byproducts.

RESPONSE:

LES objects to this request on the grounds that it (1) seeks information that is not reasonably calculated to lead to the discovery of admissible evidence in this proceeding, and (2) seeks information outside the scope of any admitted AGNM contention. Specifically, the scope of contention AGNM TC-ii is limited to LES's use of information from (1) "the Urenco contract" and (2) LES cost estimates developed in connection with the Claiborne Enrichment

Center license application. *Louisiana Energy Servs., L.P.* (National Enrichment Facility), LBP-04-14, 60 NRC __ (July 19, 2004) (slip op. at 2, Appendix A). The specific deconversion process used by the "supplier," the byproducts of the deconversion process, and the "radioactive concentrations" are not relevant to adequacy of LES's depleted uranium disposition cost estimate, including its reliance on information or input from Urenco. LES also objects to this request on the grounds that it requires LES to prepare additional documentation and additional analyses beyond those already prepared and produced, and which are not needed to support LES's position on any particular matter. See 10 C.F.R. § 2.705(b)(5)(ii). Notwithstanding, and without waiving these objections, LES refers the AGNM to NEF Environmental Report (Section 4.13) and the NRC Staff's Draft Environmental Impact Statement for the NEF (Sections 2.19, 4.2.14.3 to 4.2.14.5) for information regarding the deconversion process and its associated byproducts.

Respectfully submitted,



James R. Curtiss
Martin J. O'Neill
WINSTON & STRAWN LLP
1400 L Street, N.W.
Washington, DC 20005-3502
(202) 371-5700

John W. Lawrence, Esq.
LOUISIANA ENERGY SERVICES, L.P.
100 Sun Avenue, NE
Suite 204
Albuquerque, NM 87109

Dated at Washington, District of Columbia
this 23rd day of September 2004

Resume for Chris Chater

Current position:

Manager Business Support and Strategy for Urenco Enrichment Company (UEC).

This position, reporting directly to the CEO of UEC, entails formulating, proposing and implementing the integrated business strategy for UEC. In support of the continual operation of Urenco's European plants this role also includes the policy, strategy and implementation of tails management programmes.

In addition, a general support to business activities is also provided, including but not limited to the proposals of investment decisions for capital expenditure projects.

Experience

I have been working in the front end nuclear industry since 1990, in various commercial, operational and support functions. I have the following relevant experience:

- Operational research: optimising centrifuge plant performance.
- Sales: as the business manager of a stable isotope business unit, this included the responsibility for current and future sales and development of new business opportunities in the nuclear, high technology and medical markets.
- Marketing: including the negotiation of various sales and purchase contracts, and including considerable trade case experience.

Formal Qualifications

BSc Physics and Electronics

Contact Address

Urenco Enrichment Company
18 Oxford Road
Marlow
Bucks
SL7 2NL

Tel: ++44 (0) 1628 486941

Michael H. Schwartz

Summary of Experience:

**1989 - Present Energy Resources International, Inc.
Chairman of the Board**

Consultant to electric utility clients in technical and economic analyses and strategic planning and procurement of nuclear fuel, including technical and commercial evaluation of vendor proposals for uranium, conversion, enrichment, fabrication and related services; providing technical, strategic, financial, and policy support in the areas of nuclear fuel and high-level radioactive waste storage and disposal for individual electric utilities, electric utility-sponsored organizations, and electric utility-Native American private ventures; participation in design review, licensing, and manufacturing audits of vendor activities as technical expert; support of electric utility companies in preparation for and in response to state public utility commission audits; preparation of market analyses reports on all segments of nuclear fuel supply; design, development and application of software to support these and related client activities; and preparation and presentation of expert testimony before the Atomic Safety and Licensing Board on the matter of a license application for a proposed private uranium enrichment plant in the U.S.

**1976 - 1989 Pickard, Lowe and Garrick, Inc.
Senior Consultant**

Nuclear Fuel Management and Analyses:

Responsibilities included economic analyses and optimization of utility fuel cycle designs and fuel procurement plans; technical and commercial evaluation of vendor proposals for fuel materials and services; technical, strategic, and policy support for utilities and utility-sponsored organizations in the areas of nuclear fuel and high-level nuclear waste; design, development, and application of major nuclear fuel management and analyses models to support utility nuclear fuel cycle activities; preparation of annual market analyses reports for nuclear fuel materials and services; and design, criticality analysis and licensing of spent fuel and new fuel storage racks.

Nuclear Plant Management and Licensing-Related Activities:

Provided supervision and direction for an in-depth evaluation of the basic causes for the cost increases that occurred during the construction of a commercial nuclear power plant. Directed a multifaceted consequence analysis of the postulated release of radionuclides from an operating nuclear power plant through the liquid pathway. Involved in a broad range of power plant technical, managerial, licensing, and risk analysis activities.

Michael H. Schwartz

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**1975 - 1976 General Atomic International
Senior Fuel Application Engineer**

Responsibilities included guidance of General Atomic's high temperature gas cooled reactor (HTGR) core physics design and fuel management activities in support of international ventures; international development of the direct cycle and process heat HTGR; development of fuel cycle strategies for countries considering introduction of the HTGR; and evaluation of the use of alternative thorium fuel cycles.

**1972 - 1975 General Atomic Company
Engineer**

Responsibilities included the Peach Bottom end-of-life core physics analysis; a broad range of HTGR physics design activities; evaluation of safety criteria for the HTGR fuel with respect to nuclear criticality; and preparation of the licensing topical report describing technical basis for models used to analyze fission product release from HTGR cores during transient temperature excursions.

**1970 - 1971 Consumers Power Company
Assistant Engineer**

Performed core design and plutonium recycle studies for the Palisades and Big Rock Point nuclear power plants. Expanded capabilities of fuel accountability program and performed a variety of fuel cycle economic studies.

Education:

Graduate Level Courses in Finance, Economics and Management,
San Diego State University, 1974 - 1976.
M.S.E., Nuclear Engineering, University of Michigan, 1972
B.S.E., Nuclear Engineering, University of Michigan, 1971.

Memberships, Licenses and Honors:

Registered Professional Engineer in the District of Columbia and the State of California
American Nuclear Society
American Society of Mechanical Engineers
Tau Beta Pi
1971 Distinguished Achievement Award in Nuclear Engineering

Michael H. Schwartz

Publications:

In addition to numerous client specific analyses, evaluations, and reports, Mr. Schwartz has authored the following representative reports and publications.

Schwartz, M.H., "Uranium Enrichment – Seeking Stability in an Uncertain Market," Nuclear Energy Institute Fuel Cycle 2003, April 8, 2003.

Schwartz, M.H. and E.M. Supko, "And Then There Were Three", Nuclear Engineering International, September 2000.

Schwartz, M.H., "A Perspective on Nuclear Fuel Expense," Nuclear Energy Institute Fuel Cycle 97 Conference, April 6-9, 1997.

Schwartz, M.H. and E.M. Supko, "Fierce Competition in the U.S. Fabrication Market", Nuclear Engineering International, September 1996.

Schwartz, M.H., J.J. Steyn, and T.B. Meade, "Key Factors in Fuel Cycle Price Trends," Nuclear Energy Institute Fuel Cycle 94 Conference, March 20-23, 1994.

Schwartz, M.H., P.J. Marsico, and E.M. Supko, "EEI Nuclear Fuel Fabrication Handbook," Edison Electric Institute Nuclear Fuel Committee, NFC-93-001, November 1993.

Schwartz, M.H., J.A. Vincent, and J.M. Jordan, "Utility Oversight of Cask System Development Program," Fourth International Conference on High Level Radioactive Waste Management, April 26-30, 1993.

Supko, E.M., C.J. Henkel, and M.H. Schwartz, "EEI/UWASTE Oversight of the DOE Repository Program by the Repository Information Exchange Team," Fourth International Conference on High Level Radioactive Waste Management, April 26-30, 1993.

Schwartz, M.H., "Procurement of Fuel Fabrication Services in a Changing World Market," USCEA Fuel Cycle Conference 93, March 21-24, 1993.

Meade, T.B., and M.H. Schwartz, "The AVLIS Program: Status and Prospects," Nuclear Engineering International, November 1992.

Alissi, M.S., M.H. Schwartz, and D.K. Zabransky, "The ACR Issue Resolution Process," Third International Conference on High Level Radioactive Waste Management, April 12-16, 1992.

Michael H. Schwartz

Publications (continued):

Schwartz, M.H., T.B. Meade and J.J. Steyn, "EEI Uranium and Conversion Handbook," Edison Electric Institute Nuclear Fuel Committee, NFC-91-002, December 1991.

Schwartz, M.H. and J.J. Steyn, "Fuel Cycle Integration Issues - For a Non-Uranium Hexafluoride Based Enrichment Technology," USCEA International Enrichment Conference, June 23-26, 1991.

Schwartz, M.H., J.J. Steyn and E.M. Supko, "Overview of Fuel Management Analysis - Supply Issues and Procurement Strategy Development for the 1990s," USCEA Fuel Cycle Conference 91, March 24-27, 1991.

Schwartz, M.H., J.J. Steyn, M.A. Buren and W.D. Magwood, IV, "The DOE AVLIS Program: An Industry Assessment," Edison Electric Institute Nuclear Fuel Committee, NFC-91-001, March 1991.

Schwartz, M.H. and E.M. Supko, "Spent Fuel Storage Handbook," Edison Electric Institute, Utility Nuclear Waste & Transportation Program, December 1990.

Schwartz, M.H., T.B. Meade and J.J. Steyn, "EEI Enrichment Handbook," Edison Electric Institute Nuclear Fuel Committee, NFC-90-001, November 1990.

Schwartz, M.H., "Competition Still Fierce in the U.S. Fuel Fabrication Market" Nuclear Engineering International, Vol. 35, No. 433, August 1990.

Schwartz, M.H., "The U.S. Fuel Fabrication Market," Nuclear Engineering International, Vol. 34, No. 422, September 1989.

Schwartz, M.H., and J.J. Steyn, "Nuclear Fuel Procurement: History and Trends," USCEA Fuel Cycle Conference 89, April 2-5, 1989.

Schwartz, M.H., T.B. Meade, L.A. Sonz, F.J. Diafero, Jr., "Nuclear Fuel Cycle Cost in the Face of Uncertainty," Transactions of the American Nuclear Society, Vol. 56, June 12-16, 1988.

Schwartz, M.H., and S.P. Kraft, "The Changing World Market for Uranium Enrichment Services," 1984 EPRI Fuel Supply Seminars, October 18, 1984.

Schwartz, M.H., "A Brief Overview and Projection of Nuclear Fuel Prices," prepared in support of the 1984 Update of the EPRI Technical Assessment Guide, August 14, 1984.

Michael H. Schwartz

Publications (continued):

Schwartz, M.H., J.M. Vallance, and S. Kaplan, "UPLAN - Application of Probabilistic Decision Theory To Optimize Fuel Ordering Strategy," Transactions of the American Nuclear Society, Vol. 35, November 16-21, 1980.

Schwartz, M.H., W.H. Brewer, R. Hula, and M.A. Minns, "FUELMACS - A Computer-Based Nuclear Fuel Management and Accounting Systems," Transactions of the American Nuclear Society, Vol. 34, June 9-12, 1980.

Pickard, J.K., and M.H. Schwartz, "Testimony on Nuclear Fuel Cycle Alternatives," presented at the California Energy Resources and Development Commission Nuclear Fuel Cycle Information Hearings, June 9, 1977.

Schwartz, M.H., P. Schliefer, and R.C. Dahlberg, "A Survey of Thorium Utilization in Power Reactor Systems," General Atomic Company, GA-A13959, June 1976.

Schwartz, M.H., D.B. Sedgley, and M.M. Menonca, "SORS: Computer Program for Analyzing Fission Product Release from HTGR Cores during Transient Temperature Excursions," General Atomic Company, GA-A12462, GA-LTR-10, April 15, 1974.

Schwartz, M.H., "A Summary of Nuclear Criticality Analysis for the Large HTGR," Gulf General Atomic Company, Gulf-GA-B12646, August 15, 1973.

RESUME

Rod M. Krich
6395 Twin Oaks Lane
Lisle, IL 60532
(H) 630 428 1967
(W) 630 657-2813

EDUCATION

MS Nuclear Engineering - University of Illinois - 1973
BS Mechanical Engineering - New Jersey Institute of Technology - 1972

EXPERIENCE

1998 to
Present

Exelon (formerly Com Ed)

Vice President, Licensing Projects for Exelon Nuclear, with the overall responsibility for leading Exelon Nuclear's licensing activities on future generation ventures, predominantly leading the licensing effort for a U.S. gas centrifuge enrichment plant. In addition, I have been assisting with the Yucca Mountain project licensing effort and served as the lead on strategic licensing issues with the responsibility of working with the Nuclear Regulatory Commission and the Nuclear Energy Institute on the development of a new approach to licensing new reactors.

Vice President-Regulatory Services responsible for interface with the NRC and State regulatory agencies, and regulatory programs. This responsibility covers all 12 nuclear sites and the Nuclear Generation Group headquarters. With respect to regulatory programs, responsibilities include programs such as the change evaluation process (i.e., 10 CFR 50.59, "Changes, tests and experiments), the operability determination process, and the Updated Final Safety Analysis revision process). In this capacity, I am responsible for improving the relationship with the regulatory agencies such that, taken together with improved plant performance, the special scrutiny applied to the CornEd operating plants will be replaced with the normal oversight process. The Regulatory Services organization consists of a group located at the Nuclear Generation Group headquarters and a Regulatory Assurance group at each plant that has a matrix reporting relationship to the Vice President-Regulatory Services.

1994 to
1998

Carolina Power & Light Company

As Chief Engineer from November 1996 to April 1998, I was head of the Chief Section of the Nuclear Engineering Department. In this capacity, I was responsible for maintaining the plant design bases and developing, maintaining and enforcing the engineering processes procedures. In addition to the corporate Chief Section, the Design Control groups at each of the nuclear plant sites reported to me starting in February 1997.

As Manager - Regulatory Affairs at the H. B. Robinson Steam Electric Plant, Unit No. 2 (Westinghouse PWR) from February 1994 to November 1996, the managers of Licensing/Regulatory Programs, Emergency Preparedness, and Corrective Action/Operating Experience Program organizations reported to me. As such, I was responsible for all interface and licensing activities involving the NRC headquarters and regional office, environmental regulatory agencies, and the Institute of Nuclear Power Operations. My responsibilities also included implementation of the Emergency Preparedness program, and administration of the Corrective Action and Operating Experience programs. After assuming my position in Carolina Power &

Light Company, I was instrumental in revising and upgrading the 10CFR50.59 safety evaluation program, and was responsible for its implementation at the plant site. My group was also responsible for leading the team that prepared the NRC submittal containing the conversion to the improved Technical Specifications.

1988 to
1994

Philadelphia Electric Company

As Manager -Limerick Licensing Branch at the Nuclear Group Headquarters, responsible for all licensing activities for the two unit Limerick Generating Station (General Electric BWR) conducted with the NRC headquarters and all enforcement issues involving NRC Region I, including completion of the final tasks leading to issuance of the Unit 2 Operating License. Special projects included assisting in the development of the Design Baseline Document program, obtaining NRC approval for an Emergency Operations Facility common to two sites, preparation of the Technical Specification changes to extend the plant refueling cycle to 24 months and to allow plant operation at uprated power, and obtaining NRC approval of a change to the Limerick Operating Licenses to accept and use the spent fuel from the Shoreham plant. I was also responsible for the development and implementation of the 10CFR50.59 safety evaluation process used throughout the nuclear organization, development of the initial Updated Final Safety Analysis Report for Limerick Generating Station, and served as the Company's Primary Representative to the BWR Owners' Group.

1986 to
1988

Virginia Power Company

As the Senior Staff Engineer in the Safety Evaluation and Control section, my activities involved responding to both routine and special licensing issues pertaining to North Anna Power Station (Westinghouse PWR). My duties ranged from preparing Technical Specification interpretations and change requests, exemption requests, and coordinating responses to NRC inspection reports, to developing presentations for NRC enforcement conferences and coordinating licensing activities associated with long-term issues such as ATWS and equipment qualification. I was also the Company representative to the utility group formed to address the station blackout issue, and was particularly involved in developing an acceptable method by which utilities can address equipment operability during station blackout conditions.

1981 to
1986

Consumers Power Company

During my employment with Consumers Power Company, I worked at the General Office in the Nuclear Licensing Department and the Company's Palisades Plant (Combustion Engineering PWR). While in the Nuclear Licensing Department, I held the position of Plant Licensing Engineer for the Big Rock Point Plant (General Electric BWR), Section I-lead -Special Projects Section, and Section Head -Licensing Projects and Generic Issues Section. My responsibilities while in these positions included managing the initial and continuing Palisades Plant FSAR update effort, developing and operating a computerized commitment tracking system, managing the licensing activities supporting the expansion of the Palisades Plant spent fuel storage capacity, and coordinating activities associated with various generic issues such as fire protection and seismic qualification of equipment. As the administrative point of contact for INPO, I coordinated the Company's efforts in responding to plant and corporate INPO evaluations. At the Palisades Plant, I was head of the Plant Licensing Department. My responsibilities primarily entailed managing the on-site licensing activities, including preparation of Licensee Event Reports and responses to

inspection reports, interfacing with NRC resident and regional inspectors, and serving as chairman of the on-site safety review committee. I also administered the on-site corrective action system and managed the on-site program for the review and implementation of industry operating experience.

1974 to
1981

General Atomic Company

My positions while at the General Atomic Company were principally concerned with fuel performance development efforts for the High Temperature Gas-Cooled Reactor (HTGR). Specific responsibilities included two assignments to the French Atomic Energy Commission laboratories at Saclay and Grenoble (France) for the purpose of coordinating a cooperative test program. I was also assigned as a consultant to the Bechtel Corporation, Los Angeles Power Division, and worked in the Nuclear Group of the Alvin M. Vogtle Nuclear Project for Georgia Power.

RELATED EXPERIENCE

University of Illinois

As a graduate research assistant, I assisted in both the experimental and analytical phases of a NASA-funded program in the study and modeling of far-field noise generated by near-field turbulence in jets.

PUBLICATIONS

General Atomic Company

"CPL-2 Analysis: Fission Product Release, Plateout and Liftoff."

University of Illinois

"Prediction of Far-Field Sound Power Level for Jet Flows from Flow Field Pressure Model," paper 75-440 in the AIAA Journal, co-authored by Jones, Weber, Hammersley, Planchon, Krich, McDowell, and Northranandan.

MEMBERSHIPS

American Nuclear Society
Pi Tau Sigma - Mechanical Engineers 1-Honorary Fraternity
American Association for the Advancement of Science

REFERENCES

Furnished upon request

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:

Louisiana Energy Services, L.P.

(National Enrichment Facility)

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Docket No. 70-3103-ML

ASLBP No. 04-826-01-ML

CERTIFICATE OF SERVICE

I hereby certify that copies of the "Applicant's Responses to Interrogatories of the New Mexico Attorney General" in the captioned proceeding have been served on the following by e-mail service, designated by **, on September 23, 2004 as shown below. Additional service has been made by deposit in the United States mail, first class, this 23rd day of September 2004.

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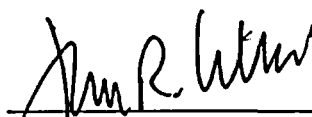
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