

RAS 8683

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED 10/25/04

SERVED 10/25/04

Before Administrative Judges:

G. Paul Bollwerk, III, Chairman
Dr. Paul B. Abramson
Dr. Charles N. Kelber

In the Matter of

LOUISIANA ENERGY SERVICES, L.P.

(National Enrichment Facility)

Docket No. 70-3103-ML

ASLBP No. 04-826-01-ML

October 25, 2004

ORDER

(Ruling on Renewed Motion to Modify Deposition Schedule)

Upon consideration of the October 20, 2004 renewed motion of intervenor Nuclear Information and Resource Service/Public Citizen (NIRS/PC) to modify the discovery schedule to extend the deadline for the deposition of Dr. Arjun Makhijani, and there being no opposition thereto,¹ it is

¹ In its October 22, 2004 response indicating it does not now oppose the NIRS/PC renewed extension motion, applicant Louisiana Energy Service, L.P., (LES) declared that it anticipates Dr. Makhijani's deposition on all pending environmental and technical issues will require two full days and thus conditions its willingness to accede to the requested schedule extension upon Dr. Makhijani being available for two days. This qualification is not inconsistent with the Licensing Board's original extension order that provided for two separate sessions with Dr. Makhijani.

ORDERED, that the October 20, 2004 NIRS/PC renewed schedule modification motion is granted in that the deposition of Dr. Arjun Makhijani regarding contentions NIRS/PC EC-4, NIRS/PC EC-3/TC-1, NIRS/PC EC-5/TC-2 - AGNM TC-i, and NIRS/PC EC-6/TC3 shall be completed on or before Wednesday, November 17, 2004.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD²

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

October 25, 2004

² Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) applicant LES; (2) intervenors New Mexico Environment Department, the Attorney General of New Mexico, and NIRS/PC; and (3) the NRC staff.

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (RULING ON RENEWED MOTION TO MODIFY DEPOSITION SCHEDULE) 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
LB ORDER (RULING ON RENEWED MOTION
TO MODIFY DEPOSITION SCHEDULE)

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 25th day of October 2004