
In the Matter of)

LOUISIANA ENERGY SERVICES, L.P.)

(National Enrichment Facility))

Docket No. 70-3103-ML

ORDER

The Commission today responds to a motion by USEC, Inc. (USEC) for leave to submit views on a pending issue in this proceeding. Specifically, earlier in this proceeding, the Commission solicited and received briefs from the parties on whether depleted uranium tails are properly classified as low-level radioactive waste.¹ Given its own interest in the waste classification matter, USEC seeks to have its views heard before the Commission rules on the issue. USEC's request -- which was filed in the *USEC, Inc.* proceeding -- included a brief addressing the classification of depleted uranium tails.

The Commission will treat the USEC brief as an *amicus* filing in this proceeding. Accordingly, the parties in this proceeding may file a response, if they so choose. Responsive briefs may not exceed 10 pages and shall be filed within 14 days of the date of this order.

¹ CLI-04-25, 60 NRC 223, 226 (2004).

IT IS SO ORDERED.

For the Commission

/RA/

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland,
this 1st day of December, 2004.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing COMMISSION ORDER DATED DECEMBER 1, 2004 have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution, with copies by electronic mail as indicated.

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COMMISSION ORDER DATED DECEMBER 1, 2004

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 1st day of December 2004