

**RAS 8963**

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

**DOCKETED 12/09/04**

**SERVED 12/09/04**

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

December 9, 2004

ORDER

(Schedule for Responses In Connection with  
Matters Remanded in CLI-04-35)

Upon consideration of the Commission's December 8, 2004 memorandum and order referring to the Licensing Board the respective September 3 and September 13, 2004 requests of intervenors New Mexico Environment Department (NMED) and the Attorney General of New Mexico (AGNM) to submit late-filed contentions initially submitted to the Commission, see CLI-04-35, 60 NRC \_\_ , \_\_ (slip op. at 7-8) (Dec. 8, 2004), it is

ORDERED, that party responses to the Commission-referred September 3 and September 13 NMED and AGNM requests for late-filed admission of contentions addressing those NMED and AGNM requests relative to the standards set forth in 10 C.F.R. § 2.309(c), (f) should be filed on or before noon Eastern Time, Friday, December 17, 2004.

In submitting any response, to the degree a party previously has addressed the section 2.309(c) or (f) standards relative to these late-filed NMED or AGNM contentions in pleadings before (a) the Commission in connection with its consideration of the NMED or AGNM late-filed contention admission requests; or (b) the Licensing Board in the context of its

consideration of the October 20, 2004 NMED late-filed contention admission request, the party should reference rather than repeat those arguments.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD\*

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G. Paul Bollwerk, III  
ADMINISTRATIVE JUDGE

Rockville, Maryland

December 9, 2004

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\* Copies of this order were sent this date by Internet e-mail transmission to counsel for (1) applicant Louisiana Energy Services, Inc.; (2) intervenors NMED, AGNM, and Nuclear Information and Resource Service/Public Citizen; and (3) the NRC staff.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (SCHEDULE FOR RESPONSES IN CONNECTION WITH MATTERS REMANDED IN CLI-04-35) 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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Washington, DC 20555-0001

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Docket No. 70-3103-ML  
LB ORDER (SCHEDULE FOR RESPONSES IN  
CONNECTION WITH MATTERS REMANDED  
IN CLI-04-35)

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[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 9<sup>th</sup> day of December 2004