

RELATED CORRESPONDENCE

December 14, 2004

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION****DOCKETED
USNRC****BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

December 15, 2004 (8:16am)

In the Matter of

Docket No. 70-3103

**OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF**

Louisiana Energy Services, L.P.

ASLBP No. 04-826-01-ML

**SUPPLEMENTAL INTERROGATORIES
AND DOCUMENT REQUEST
ON BEHALF OF
PETITIONERS NUCLEAR INFORMATION AND RESOURCE SERVICE
AND PUBLIC CITIZEN
TO APPLICANT LOUISIANA ENERGY SERVICES, L.P.**

Petitioners, Nuclear Information and Resource Service and Public Citizen ("NIRS/PC"), hereby request that Louisiana Energy Services, L.P. ("LES") answer the following interrogatories and document requests separately and fully in writing under oath on or before December 20, 2004.

1. Instructions: Each of the following requests is a continuing one pursuant to 10 CFR Sections 2.706(b) and 2.707, and NIRS/PC hereby demand that, in the event that at any later date LES obtains or discovers any additional information which is responsive to these interrogatories and this request for production of documents, LES shall supplement its responses to this request promptly and sufficiently in advance of hearing. Such supplementation shall include, but not be limited to:
 - a. the identity and location of persons having knowledge of discoverable matters;

- b. the identity of each person expected to be called as an expert witness at any hearing, the subject matter on which he is expected to testify, and the substance of his testimony; and
 - c. any new information that makes any response hereto substantially incorrect.
- 2. If LES objects to or refuses to answer any interrogatory under a claim of privilege, immunity, or for any other reason, please indicate the basis for asserting the objection, privilege, immunity, or other protection, and describe the factual basis for asserting the objection, privilege, immunity, or other protection in sufficient detail to permit the administrative judges in this matter to ascertain the validity of such assertion.
- 3. If LES withholds any document covered by this request under a claim of privilege, immunity, or other protection, please furnish a list identifying each document for which such privilege, immunity, or other protection is asserted, together with the following information as to each document: date, author, recipient, recipients of copies, and the job title of any such persons, the subject matter of the document, the basis for asserting the privilege, immunity, or other protection, and the identity of the person on whose behalf the privilege, immunity, or other protection is asserted.
- 4. Definitions: Each of the following definitions, unless otherwise indicated, applies to and shall be a part of each interrogatory and request for production which follows:
 - a. "LES," "you," and "your" refer to Louisiana Energy Services, L.P. and, in those instances where information necessary to respond to any interrogatory is not within the body of knowledge possessed by LES or where documentation necessary to respond to a request for production of documents is not in LES's

possession, custody, or control, but is within the body of knowledge possessed by LES's constituent partners or within their custody or control, then "LES," "you," and "your" also refer to all of LES's partners, employees, agents, subcontractors, or other representatives.

- b. "Document" means the original and any nonidentical copies of all written, printed, typed, recorded, graphic, photographic, or electronic media however produced or reproduced and wherever located, over which you have possession, custody or control or over which you have the right to assert possession, custody or control. The term "document" includes, but is not limited to, records, correspondence, memoranda, reports, telegrams, telexes, wire communications, diaries, notes, minutes, instructions, demands, data, schedules, notices, recordings, analyses, sketches, manuals, brochures, calendars, ledgers, invoices, charts, drafts, computer tapes, computer discs, microfilm, microfiche, blueprints, drawings, contracts, agreements, files, and any other written or graphic matter.

- c. "Describe" shall mean:

- i. In connection with a person, state the name, last known home and business address, last known home and business telephone number (including mobile phones), and last known place of employment and job title;
- ii. In connection with a document, give a description sufficient to identify uniquely the document, including the author, date, title, caption, the name of the signatory and addressee and any

recipients of copies, the file source, and the general subject matter;

- iii. In connection with an action or communication, describe the date of the occurrence, the persons present, and any documents referring to the occurrence.
- d. "NEF" shall mean the proposed National Enrichment Facility, which is the subject of this proceeding.
- e. "Person" includes any individual, association, corporation, partnership, joint venture, or any other business, legal, or governmental entity.
- f. Discovery sought herein encompasses any material contained in the personal or private files of LES employees, representatives, agents, or officers.

Interrogatories:

- 1. With respect to amendments to NIRS/PC contention EC-1, found admissible by the Atomic Safety and Licensing Board (the "Board") in its ruling dated November 22, 2004, including the text of the contention and bases thereof, please state:
 - a. The name, address, profession, employer, and area of professional expertise of each person whom LES expects to call as a witness, including any expert witness at the hearing.
 - b. The educational and scientific expertise of each witness.
 - c. The subject matter on which each of the witnesses is expected to testify.
 - d. The substance of the facts and opinions to which each witness is expected to testify and a summary of the grounds for each opinion, including the documents

and all pertinent pages or parts thereof upon which each witness will rely or will otherwise use for his testimony.

2. With respect to amendments to NIRS/PC contention EC-2, found admissible by the Atomic Safety and Licensing Board (the "Board") in its ruling dated November 22, 2004, including the text of the contention and bases thereof, please state:

- a. The name, address, profession, employer, and area of professional expertise of each person whom LES expects to call as a witness, including any expert witness at the hearing.
- b. The educational and scientific expertise of each witness.
- c. The subject matter on which each of the witnesses is expected to testify.
- d. The substance of the facts and opinions to which each witness is expected to testify and a summary of the grounds for each opinion, including the documents and all pertinent pages or parts thereof upon which each witness will rely or will otherwise use for his testimony.

3. With respect to amendments to NIRS/PC contention EC-4, found admissible by the Atomic Safety and Licensing Board (the "Board") in its ruling dated November 22, 2004, including the text of the contention and bases thereof, please state:

- a. The name, address, profession, employer, and area of professional expertise of each person whom LES expects to call as a witness, including any expert witness at the hearing.
- b. The educational and scientific expertise of each witness.
- c. The subject matter on which each of the witnesses is expected to testify.

- d. The substance of the facts and opinions to which each witness is expected to testify and a summary of the grounds for each opinion, including the documents and all pertinent pages or parts thereof upon which each witness will rely or will otherwise use for his testimony.
4. With respect to amendments to NIRS/PC contention EC-5/TC-2, found admissible by the Atomic Safety and Licensing Board (the "Board") in its ruling dated November 22, 2004, including the text of the contention and bases thereof, please state:
- a. The name, address, profession, employer, and area of professional expertise of each person whom LES expects to call as a witness, including any expert witness at the hearing.
- b. The educational and scientific expertise of each witness.
- c. The subject matter on which each of the witnesses is expected to testify.
- d. The substance of the facts and opinions to which each witness is expected to testify and a summary of the grounds for each opinion, including the documents and all pertinent pages or parts thereof upon which each witness will rely or will otherwise use for his testimony.

Document request

Please provide all documents identified or described in response to any of the foregoing interrogatories.

Respectfully submitted,



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December 14, 2004

CERTIFICATE OF SERVICE

Pursuant to 10 CFR § 2.305 the undersigned attorney of record certifies that on December 14, 2004, the foregoing Supplemental Interrogatories and Document Request on Behalf of Petitioners Nuclear Information and Resource Service and Public Citizen to Applicant Louisiana Energy Services, L.P. was served by electronic mail and by first class mail upon the following:

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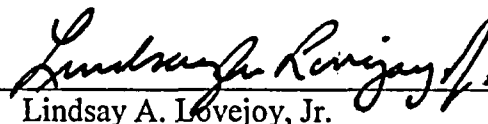
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