

December 20, 2004

Administrative Judge Paul Bollwerk  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3F23  
Washington, D.C. 20555

Administrative Judge Paul Abramson  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3F23  
Washington, D.C. 20555

Administrative Judge Charles Kelber  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3F23  
Washington, D.C. 20555

In the Matter of  
LOUISIANA ENERGY SERVICES, L.P.  
(National Enrichment Facility)  
Docket No. 70-3103; ASLBP No. 04-826-01-ML

Dear Administrative Judges,

This letter is to inform the Board and the parties that the Staff has authorized the release of the provisional screening criteria applicable to fuel cycle facilities, including the proposed uranium enrichment facility subject to this proceeding, provided that the information is not released to the public until the Staff releases the criteria to affected licensees. At this time, the Staff cannot state when the criteria will be provided to those licensees, but it should be no later than January 31, 2005. The Staff will provide notification when more information is available.

To allow release of the criteria to the parties, the Staff has attached a non-disclosure agreement. Upon receipt of the agreement, the Staff will provide the criteria promptly. Additionally, the Staff will provide the criteria to the Board upon request.

Sincerely,

**/RA/**

Lisa B. Clark  
Counsel for NRC Staff

Attachments: Confidentiality and Non-Disclosure Agreement

cc w/ encl:	Tannis Fox, Esq.	Lindsay Lovejoy, Jr., Esq.
	Clay Clarke, Esq.	Jim Curtiss, Esq.
	Glenn Smith, Esq.	David Repka, Esq.
	Stephen Farris, Esq.	Martin O'Neill, Esq.
	Chris Coppin, Esq.	Office of the Secretary
	David Pato, Esq.	Atomic Safety and Licensing Board Panel

## **CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT**

Under penalty of perjury, I hereby certify my understanding that access to the Nuclear Regulatory Commission's ("Commission") criteria for screening documents for sensitive unclassified information is provided to me under agreement that I will not disclose it to any person who has not entered into this Confidentiality and Non-Disclosure Agreement ("Agreement"), unless and until such time as the Commission makes this information available to the affected licensees. I understand that the contents of this screening criteria document, any notes or other memoranda, or any form of information that copies or discloses the screening criteria shall not be disclosed to anyone other than those who have entered into this Agreement. I acknowledge that a violation of this Agreement may result in the imposition of sanctions as the Commission may deem to be appropriate, including, but not limited to, referral of the violation to appropriate bar associations and other disciplinary authorities.

WHEREFORE, I do solemnly agree to protect such protected information as may be disclosed to me in this NRC proceeding, in accordance with the terms of this Agreement.

Name (printed): \_\_\_\_\_

Title: \_\_\_\_\_

Representing: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_