

October 14, 2005

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

October 17, 2005 (7:48am)

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of:

Louisiana Energy Services, L.P.

(National Enrichment Facility)

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Docket No. 70-3103-ML

ASLBP No. 04-826-01-ML

**LOUISIANA ENERGY SERVICES, L.P. RESPONSE TO
OCTOBER 13, 2005 ORDER REGARDING TESTIMONY AND EXHIBITS**

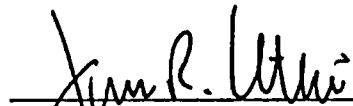
Louisiana Energy Services, L.P. ("LES") hereby submits this response to the Board's October 13, 2005 Memorandum and Order (Regarding Motions to Exclude Certain NIRS/PC Exhibits) ("October 13 Order"). In that order, the Board directed all of the parties to identify the specific pages or distinct portions of any exhibits referenced in either the prefiled direct testimony or prefiled rebuttal testimony with a length greater than five (5) pages that directly support the specific testimony. October 13 Order at 3. LES has reviewed its prefiled direct and rebuttal testimony and has determined that, with three limited exceptions, no changes are necessary to comply with the Board's order. In its prefiled direct and rebuttal testimony, where LES intends to reference a specific portion of an exhibit, it has done so. Likewise, where LES refers to an exhibit in its entirety, it intends to rely on the entirety of that exhibit.¹ The following exhibits fall into that latter category:

LES Exhibit Nos. 82, 86, 90, 91, 94, 100, 104, 107

¹ For example, on page 18 of its prefiled direct deconversion testimony, LES generally references Exhibit No. 90 as a source of its derived cost estimate, but, on the next page, LES specifically identifies the pertinent page during its discussion of the specific components of the cost estimates.

As indicated above, LES has made a total of three minor revisions to its prefiled direct and rebuttal testimony on the plausibility and estimated cost of deconversion of depleted uranium to conform with the Board's October 13 Order. With respect to page 27 of its direct testimony, LES is providing more specific citations to LES Exhibits 16, 17, and 18, *i.e.*, the DOE's 2004 Portsmouth facility environmental impact statement ("EIS"), 2004 Paducah facility EIS, and 1999 programmatic EIS, respectively. Although those documents were admitted into evidence during the February 2005 hearings, they are voluminous in nature, and LES does not intend to rely on the entire documents for purposes of the October 2005 hearings. LES also is correcting a typographical error on page 27 of the direct testimony (*i.e.*, the reference to "Exhibit 16" on line 16 should read "Exhibit 18"). With respect to page 10 of its rebuttal testimony, LES likewise is providing more specific citations to LES Exhibits 16, 17, and 18. Proprietary replacement pages that reflect the above corrections in handwritten form will be provided via overnight delivery.

Respectfully submitted,



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Dated at Washington, District of Columbia
this 14th day of October 2005

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)	Docket No. 70-3103-ML
)	
Louisiana Energy Services, L.P.)	ASLBP No. 04-826-01-ML
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CERTIFICATE OF SERVICE

I hereby certify that copies of the "LOUISIANA ENERGY SERVICES, L.P. RESPONSE TO OCTOBER 13, 2005 ORDER REGARDING TESTIMONY AND EXHIBITS" in the captioned proceeding have been served on the following by e-mail service, designated by **, on October 14, 2005 as shown below. Additional service has been made by deposit in the United States mail, first class, this 14th day of October 2005.

Chairman Nils J. Diaz
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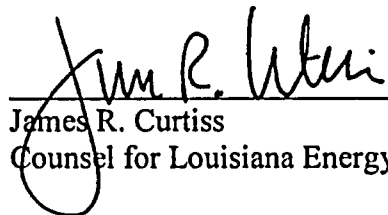
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