



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 14, 2021

Mr. Wyatt Padgett
Licensing and Performance
Assessment Manager
Louisiana Energy Services, LLC
PO Box 1789
Eunice, NM 88231

SUBJECT: LOUISIANA ENERGY SERVICES – AMENDMENT 91, APPROVAL OF
EXEMPTION TO POSTPONE THE 2021 BIENNIAL EVALUATED EMERGENCY
PLAN EXERCISE REQUIRED BY 10 CFR 70.22(i)(3)(xii) (ENTERPRISE
PROJECT IDENTIFICATION NUMBER L-2021-LLA-0162)

Dear Mr. Padgett:

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed your letter dated September 15, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21266A301) and supplemental letter dated September 22, 2021 (ADAMS Accession No. ML21272A295), requesting an exemption from certain requirements of Title 10 of the *Code of Federal Regulations* (10 CFR), Paragraph 70.22(i)(3)(xii), "Exercises." Louisiana Energy Services, LLC, doing business as URENCO, USA (UUSA), requested a one-time exemption from the provisions of 10 CFR 70.22(i)(3)(xii), which requires a biennial evaluated emergency plan exercise.

The NRC staff concludes that the postponement of the biennial evaluated emergency plan exercise is authorized by law, will not endanger life or property or the common defense and security, and is in the public interest. Accordingly, pursuant to 10 CFR 70.17, "Specific exemptions," the NRC hereby grants UUSA a temporary exemption from the requirements in 10 CFR 70.22(i)(3)(xii) pertaining to the timeframe for the biennial exercises.

Materials License SNM-2010 is hereby amended to add license condition 35 in Section 1.0, "Domestic Safety and Safeguards," to reflect the exemption as follows:

Enclosure 2 transmitted by this letter contains **Security-Related Information**. When separated from Enclosure 3, this letter and Enclosures 1 and 2 are decontrolled.

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35. The licensee is granted an exemption from performing the biennial emergency plan exercise listed in 10 CFR 70.22(i)(3)(xii) in calendar year 2021 but must complete said exercise within 35 months of the previously evaluated emergency plan exercise, which occurred on October 9, 2019. Following that evaluated exercise, the licensee will conduct biennial emergency plan exercises in odd number years.

All other license conditions shall remain the same. The review by the NRC staff is documented in the safety evaluation report, which is Enclosure 1 to this letter. Enclosures 2 and 3 to this letter provide publicly available and non-publicly available versions of the amended materials license SNM-2010, respectively.

This letter concludes action on this submittal, and Enterprise Project Identifier L-2021-LLA-0162 is closed.

In accordance with 10 CFR 2.390, "Public inspections, exemptions, requests for withholding," of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter and Enclosures 1 and 3 will be available electronically for public inspection in the NRC Public Document Room and in ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. The PDR is currently closed. You may submit your request to the PDR via e-mail at PDR.Resource@nrc.gov or call 1-800-397-4209 between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays.

If you have any questions regarding this matter, please contact me or Mr. Matt Bartlett by telephone at 301-415-7154, or via email to matthew.bartlett@nrc.gov.

Sincerely,

Jacob I. Zimmerman, Chief
Fuel Facility Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 07003103
License No. SNM-2010

Enclosures:

1. Safety Evaluation Report
2. Amendment 91 (Public)
3. Amendment 91 (Non-public)

cc: les@listmgr.nrc.gov

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