

August 17, 2006

MEMORANDUM FOR: John F. Cordes, Director
Office of Commission Appellate Adjudication

FROM: Emile L. Julian, Acting Secretary /RA/

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 10:00 A.M., THURSDAY, AUGUST 17, 2006,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO
PUBLIC ATTENDANCE)

I. SECY-06-0162 - Louisiana Energy Services, LP (National Enrichment Facility) Docket No. 70-3103-ML, Petitions for Review of LBP-06-15

The Commission¹ approved a Memorandum and Order responding to petitions for review of the Atomic Safety and Licensing Board's Third Partial Initial Decision in this proceeding, LBP-06-15, issued on May 31, 2006. The Nuclear Information and Resource Service and Public Citizen argue that the Board should have permitted them to argue that the decommissioning cost estimate based on the Department of Energy (DOE) option was inadequate. The Louisiana Energy Services' (LES) petition for review calls for review of the allegedly altered standard for evaluation of decommissioning cost estimates. The Memorandum and Order accepts review of the Board's decision in LBP-06-15 and affirms the Board's conclusion that LES has shown reasonable assurance of adequate decommissioning funding for the DOE option.

(Subsequently, on August 17, 2006, the Secretary signed the Memorandum and Order.)

cc: Chairman Klein
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
EDO
OGC
CFO
OCAA
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR

¹ Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Klein and Commissioners McGaffigan and Lyons were present in the Conference Room. Commissioners Jaczko and Merrifield participated in the meeting via speakerphone.