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Michael Lesar, Chief  
Rules and Directives Branch  
Offices of Administration  
U S Nuclear Regulatory Commission  
Washington, DC 20555

Rules and Directives  
Branch  
USNRC

Dear Mr Lesar:

On 10/3/02, the Nashville Tennessean published a news short saying that the NRC had the day before announced a 30 day public comment period on LES's 6 preliminary requests on potential licensing issues for its proposed Hartsville, TN, uranium enrichment plant. There was no announcement placed in The Hartsville Vidette, the only local newspaper. On 10/14/02, a question about these LES requests to the NRC was brought up at the Hartsville Town meeting. Timothy Johnson, the NRC's LES project manager, couldn't tell us what those issues were - with the exception of the environmental justice issue. He told the story of the two little towns whose churches shared the same pastor and how the townspeople could no longer go back and forth if the LES plant separated them. The other issues we would have to find out about for ourselves by going to your NRC website. I find it very strange that the man responsible for that 4/30/02 meeting summary did not remember 5 of the 6 issues involved.

On the issue of depleted uranium tails disposition, LES has requested that DOE acceptance of responsibility for the tails be considered "plausible strategy." Mr Johnson told the Trousdale County Commissioners and public attending a meeting on 10/21/02 that DOE acceptance of responsibility for those tails didn't mean that they went anywhere. Right now depleted uranium tails are stored on site at Paducah, KY, Pike County, Ohio, and Oak Ridge, TN. At present there is no place for the majority of these tails to go. But George Dials, President and CEO of LES, has told the people of Trousdale County that:

"We will have a well-thought-out [sic] plan for the disposal of tails, including their removal from Tennessee." (The Hartsville Vidette, p.8, 10/31/02)

1. I object to the LES request to NRC that no further consideration of tails disposal be required in the licensing procedure. Such a request is incongruous with the above statement, and it is an important issue for the community surrounding the proposed plant location. It can adversely effect property values and have a negative effect on the recruitment of other industries for the area.
2. With respect to the other 5 issues of concern: anti-trust review, foreign ownership, financial qualifications, environmental justice, analysis of need and no action alternative, I request that NRC not make a ruling now. At your first meeting with LES on 3/19/02, LES said that to go forward with the project they would need an "assured licensing process that is short and predictable." That is saying that NRC must assure them that the licensing will be quick and successful! In other words, NRC must agree to give up their "evaluation of the compliance with the requirements for a license" duties for LES to go forward with the project. Since LES is going forward with the project, are we to assume that NRC has abrogated their licensing duties at the request of LES? I do not feel that our community should be rushed along or slighted in such a manner. NRC should adhere to their duties and require LES to specifically address the above issues for this facility so that they may be fully evaluated. Although Mr Dials has said that we are "currently living below the prosperity level," we are still entitled to justice in the licensing procedure.
3. With respect to allowing foreign ownership in such a sensitive industry, I think it is a question that should be considered in a timely manner. LES - Louisiana Energy Services - is, after all, majority owned by the European firm Urenco.

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Call = T. Johnson (TJ)

We deserve the normal legal safeguards during the licensing procedure and the right to challenge any part of the LES license application. Don't abrogate your duties and change the rules now to favor LES to rush this license along. NRC certainly has not looked to us like a neutral party in this process, and such a favorable decision for LES now would enhance that appearance.

Thank you

Sincerely,

*Cathy Steele*  
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