70-7003, 70-3103

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November 16, 2002

Martin J. Virgilio
Director
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Re: Docket# 70-7003, Policy Issues Associated with the Licensing of a Uranium Enrichment Facility

Dear Mr. Virgilio:

I provide below comments on the policy issues described in a May 28, 2002 memo (docket 70-3103, from Timothy Johnson of FCSS to Melvyn Leach, FCSS) and subsequent letters from Mr. Leach (June 6, 2002) and yourself (June 25, 2002) to the U.S. Enrichment Corporation and Department of Energy, respectively, requesting their comment on these issues.

These policy issues are thought by some to be an effort by Louisiana Energy Services (LES) to resolve in their favor issues that should be considered in Atomic Safety and Licensing Board (ASLB) adjudicatory hearings. I note that these seem to be the issues raised by interveners in the last proceeding involving LES, when they wanted to build a uranium enrichment plant near Homer, Louisiana. Some may believe that LES is attempting to circumvent the established adjudicatory process. In my view, accepting LES' requests would not violate NRC regulations, and should not be actionable in federal court. I do not think a 90-day public comment period on these policy issues with full notice and comment published in the Federal Register is needed.

I have perused the USEC and Louisiana Energy Services letters pertaining to this matter that are available in the NRC ADAMS system, particularly the six "white papers" attached to the LES letter dated April 24, 2002 and agree completely with the recommendations contained therein.

I request the NRC to produce any needed initial order or other documents related to these policy issues or other such requests from LES without public comment. As a taxpayer and user of nuclear-generated electricity, I do not want the NRC to waste my money on public hearings that add nothing substantial to this matter simply because someone else thinks it might be a good idea. I urge the

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NRC to reject any and all attempts to make the LES process of building and operating an enrichment facility complicated, expensive and longer than absolutely necessary.

I would like to be placed on the service list for correspondence and other materials related to Louisiana Energy Services, Docket Numbers 70-7003 and 70-3103, and generic materials related to uranium enrichment plants so that I might participate as fully as possible in this matter.

Sincerely,

Al Tschaeche

cc:
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