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To: Nuclear Regulatory Commission, Washington, D.C. Mailstop: T-6D59
Chief, Rules and Directives Branch Division of Administrataive Services

Subject: Scoping comments, Docket #70-7004

Re: USEC's application for a license to possess and use source, by product, and special nuclear material and to enrich natural uranium to a maxium of 10 percent U-235 by the gas centrifuge process. The plant known as the American Centrifuge Plant would be located in Piketon, Ohio.

Following are several of many, major and significant issues that are so undecided and uncertain that the Nuclear Regulatory Commission should follow the recommendations of the Carnegie Report and immediately implement at least a three years "pause" on issuing licenses on "ALL ENRICHMENT AND REPROCESSING ACTIVITIES":

"The United States and other nuclear-capable states should as an initial step establish a production 'pause' in which they suspend operation of all facilities that can produce HEU or weapon-usable plutonium (military and civilian). This would apply to all enrichment and reprocessing activities, including even the production of LEU on a temporary basis....There is no inherent reason this production pause would disrupt existing fuel supply arrangements. There are sufficient stocks of enriched uranium to fuel existing nuclear reactors for several years....A uranium enrichment pause should be feasible for at least three to five years, if not more." (brief excerpts from p.48 of the 96 page Carnegie draft Report, "Universal Compliance: A Strategy for Nuclear Security", June, 2004).

Similar recommendations being considered by the member states of the United Nations, will also have a profound effect on the future of what happens at Piketon, Ohio.
After recommending an "arrangement" which would enable the International Atomic Energy Agency to act as a guarantor for the supply of fissile material to civilian nuclear users, it states: "While that arrangement is being negotiated, States should, without surrendering the right under the Treaty on the Non-Proliferation of Nuclear Weapons to construct such facilities, voluntarily institute a time-limited moratorium on the construction of any further enrichment or reprocessing facilities, with a commitment to the moratorium matched by a guarantee of the supply of fissile material by the current suppliers at market rates." (p. 44, United Nations Report of the High-level Panel on Threats, Challenges and Change - "A more secure world: Our shared responsibility", 2004.)

While decision makers around the world are debating and taking actions on many of these and other "non-proliferation" recommendations, the U.S. Congress has already taken the initiative and in the recently passed FY-2005 budget they eliminated research funding for new nuclear weapons (including the "mini-nuclear bunker busting bomb"); reducing by over $20 million (to $7 million) the request for a new "Modern Pit Facility"; and by providing over $7 BILLION for Defense Environmental Management. In a commentary "Forward Thinking on Nuclear Policy" in the *Washington Times* on Jan. 20, 2005, Congressman David Hobson (R-Ohio), chairman of the House Appropriations Energy and Water Development Subcommittee, explaining why they denied some of the Bush administration requests stated: "Not only are these initiatives (Robust Nuclear Earth Penetrator and Enhanced Test Rediness) an unwise and unnecessary use of limited resources, they also send the wrong signal to the rest of the world. When we want countries such as Iran and North Korea to abandon nuclear weapons development," (my note: like construction of new enrichments plants) "it is hypocritical for the United States to embark on new weapons and testing initiatives. The U.S. needs to lead by example. These new initiatives might actually risk rather than enhance our national security by encouraging other countries' nuclear weapons initiatives."

With leading authorities on nuclear proliferation calling for a "production pause", NRC must

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consider that by the time the ACP is ready for operation, such a pause might be in effect. USEC has not discussed this contingency in its environmental report. What will be the environmental and economic repercussions for the community if ACP is built but then cannot operate due to an intervening change in security or energy policy? A pause will allow more time for NRC and other government agencies to focus resources on:

1. Helping to clean-up the entire 5.9 square mile DOE Piketon/Portsmouth site.
2. Retesting the entire site with the latest, sensitive equipment, overseen by outside experts like the International Atomic Energy Agency.
3. The safe and permanent disposal of radioactive and other dangerous material.
4. Lowering the risk of the transport of hazardous material according to the newly passed Department of Transportation regulations.
5. Assisting the Department of Labor in fair and speedy compensation under EEOICPA by making all records of releases, events, accidents, fines, etc. readily available.
6. Encourage and support agencies like SODI in the development of clean, safe, well paying jobs.

Another major, significant issue that is undecided and uncertain is the very future of power generated by enriched uranium. There is a growing undertanding among decision makers that nuclear power is not only unsafe
and generating huge amounts of dangerous wastes but is also expensive and unecessary.

When the House Appropriations Committee cut the budget for the Nuclear Power 2010 Program by half, they stated "in the absence of a licensed repository for spent nuclear fuel, the committee does not believe the NRC should license any new reactor plants in this country."

"The Energy Information Administration (EIA), in preparing model forecasts for its *Annual Energy Outlook 2005* evaluated a wide range of current trends and issues that could have major implications for U.S. energy markets over the 20-year period, from 2005 to 2025....All existing nuclear plants are projected to continue to operate, but new plants are not expected to be economical." According to a summary by ANA, EIA estimates that by 2025 total capital and operating costs of nuclear power will be 9 percent more expensive than wind power, 16 percent more expensive than natural gas, and 19 percent more expensive than coal power.

"States Take Lead in Widening Use of Green Energy", (*Wall St. Journal*, 9/22/04) "With the federal drive toward alternative energy stalled for now, the move to adopt renewable energy resources is gaining momentum in key sate and local jurisdictons. Governments from California to Maine are pursuing policies that call for greater use of alternative energy generated by harnessing the wind, sun, water and other renewable sources."

"Companies like General Electric, BP, Royal Dutch/Shell, Sharp, and Kyocera see sun power as a big chunk of their future business, and new approaches such as plastic-based solar panels are springing up. Forecasters see more than 30% growth per year for the next decade....given environmental pressures and more competive green energy prices, it's a good bet that the boom in renewables will continue." (Tax Credits Put Wind In The Sails of Renewables, *Business Week*, 1/10/05)

NRC should also consider the uncertainty of:

1. The financial viability of USEC
2. The undetermined policies of the new Secretary of the Department of Energy and the provisions of a new energy bill.
3. FY-2006 budget cuts.
4. The settlement of outstanding law suits, hearings, applications (like LES), etc.
5. NRC's application of the health programs standards in the 233 page DOE-STD-1136-2004 "Guide To Good Practices for Occupational Radiation Protection in Uranium Facilities, issued December, 2004.

Sincerely yours, Jean Puchstein, 505 E. Dominion Blvd., Columbus, OH, 43214

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