

September 13, 2005

MEMORANDUM TO:       Administrative Judge Lawrence G. McDade  
                                  Presiding Officer  
                                  Atomic Safety and Licensing Board

                                  Administrative Judge Dr. Paul B. Abramson  
                                  Special Assistant  
                                  Atomic Safety and Licensing Board

                                  Administrative Judge Dr. Richard E. Wardwell  
                                  Special Assistant  
                                  Atomic Safety and Licensing Board

FROM:                    Scott C. Flanders, Deputy Director */RA/*  
                                  Environmental and Performance Assessment Directorate  
                                  Division of Waste Management  
                                  and Environmental Protection  
                                  Office of Nuclear Material Safety  
                                  and Safeguards

SUBJECT:                NEW INFORMATION POTENTIALLY RELEVANT AND  
                                  MATERIAL TO LICENSING BOARD PROCEEDING IN  
                                  THE MATTER OF USEC INC.

Pursuant to the Commission Policy on Notification to Licensing Boards or the Commission of new relevant and material information, the staff has determined that the following document is potentially relevant and material to the USEC Inc. proceeding and is forwarding it herewith as an enclosure to this memorandum: "Environmental Impact Statement for the Proposed American Centrifuge Plant in Piketon, Ohio; Draft Report for Comment," (NUREG-1834). The staff's Notice of Availability, "USEC Inc.'s Proposed American Centrifuge Plant; Notice of Availability of Draft Environmental Impact Statement (DEIS)" was published in the *Federal Register* on Thursday, September 8, 2005 (70 FR 53396).

This document describes the staff's environmental review of the USEC Inc.'s proposed American Centrifuge Plant in Piketon, Ohio. Based on the preliminary evaluation in the DEIS, the NRC environmental review staff has concluded that the proposed action would have small effects on the physical environment and human communities with the exception of: (1) short-term moderate impacts associated with increases in particulate matter released to the air during the construction phase, (2) short-term moderate impacts related to increased traffic congestion during the construction phase, (3) potential moderate impacts due to transportation accidents, (4) potential moderate impacts from facility operation accidents, (5) moderate impacts associated with a potential operating extension of the DOE depleted uranium tails conversion facility, and (6) moderate employment impacts on the local communities associated with the construction and operation phases.

After weighing the impacts, costs, and benefits of the proposed action and comparing alternatives, the NRC staff, in accordance with 10 CFR 51.71(e), set forth their preliminary recommendation regarding the proposed action. The NRC staff recommend that, unless safety issues mandate otherwise, the action called for is the approval of the proposed action (i.e., issue a license). The DEIS is a preliminary analysis of the environmental impacts of the proposed action and its alternatives. The Final EIS and any decision documentation regarding the proposed action will not be issued until public comments on the DEIS have been received and evaluated.

Docket No. 70-7004

Attachment: Draft Environmental Impact Statement (NUREG-1834)

cc w/att: Service List

Assistant General Counsel for Materials Litigation and Enforcement

After weighing the impacts, costs, and benefits of the proposed action and comparing alternatives, the NRC staff, in accordance with 10 CFR 51.71(e), set forth their preliminary recommendation regarding the proposed action. The NRC staff recommend that, unless safety issues mandate otherwise, the action called for is the approval of the proposed action (i.e., issue a license). The DEIS is a preliminary analysis of the environmental impacts of the proposed action and its alternatives. The Final EIS and any decision documentation regarding the proposed action will not be issued until public comments on the DEIS have been received and evaluated.

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