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Ohio Sierra Club
131 North High Street, Suite 605
Columbus, OH 43215

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USNRC

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OFFICE OF SECRETARY
RULEMAKINGS AND
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Docket No. 70-7004-H

January 9, 2007

Atomic Safety and Licensing Board Panel
US Nuclear Regulatory Commission

The Toxics Committee of the Ohio Sierra Club would like to make the following comments regarding the granting of a license to the United States Enrichment Corporation (USEC) to build a gaseous centrifuge uranium enrichment plant at the nuclear facility at Piketon, Ohio.

The Sierra Club respectfully requests that the Nuclear Regulatory Commission delay the granting of this license until the combined impact of other nuclear facilities proposed for the site can be addressed.

There is a strong possibility that Piketon could be chosen as a site where commercial high-level spent nuclear fuel from around the country and around the world would be brought in, in accordance with the program of the Dept. of Energy's Global Nuclear Energy Partnership (GNEP). The various specific site studies are being rushed through in a 90-day time frame.

Authorization has recently been given for a generalized Programmatic Environmental Impact Statement ~~written~~ to be written that will cover the various GNEP application sites. The impacts that the PEIS finds must be compared with the impacts of the centrifuge before the NRC grants a license to USEC. Additionally, a PEIS will not address the unique environmental problems and challenges that will occur at Piketon. It is critical for the safety and welfare of the public that a site-specific EIS for a GNEP or storage facility at Piketon be written and evaluated and compared with the impacts of the centrifuge. For the NRC to do less would be shirking its responsibility to the public and in violation of its mission.

We request that the ASLBP delay the granting of this license to USEC until Congress, Governor Strickland and the public can investigate irregular actions that have been taken by USEC and other entities. These include actions taken outside the public purview, in secrecy, in violation of ethical standards, or in violation of the law. Such irregularities include USEC ~~founder~~ ^{board member} and former ~~owner~~ ^{board member} Dan Moore leaving the company to head ePIFNI, a company applying to bring radioactive waste into Ohio. Other irregularities are USEC's purchase of one of the largest nuclear waste cask-makers, NAC International, and USEC's involvement with a team that includes the Washington International Group, AREVA and Batelle.

The NRC must address, in conjunction with Congress, allegations that a plan for bringing irradiated fuel from commercial nuclear power reactors to the Piketon facility is already well developed. NRC must investigate whether expensive infrastructure changes have already been made at the Piketon site to accommodate irradiated fuel shipments. ePIFNI and SONIC, the

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companies who plan to bring the waste to Piketon, have apparently pursued this in secrecy for more than a year.

The specific technology for the USEC centrifuge operation has not been proven, nor has the pilot project been completed or tested. The financial situation of USEC is admittedly marginal. By granting a license without the pilot plant and technology testing, the DOE and NRC would be facilitating operations of a financially-strapped company, perhaps concealing whether the company could even afford to complete the pilot and tests as originally mandated. Financial impetus of added activity of LLRW storage or reprocessing adds to the appearance that the company is attempting to do more than enrichment at Piketon.

Granting a license to USEC at this juncture would complicate the public's and the government's ability to investigate and hold accountable persons or companies involved in unethical or illegal actions.

Past experience with radioactive contamination at Piketon has shown very clearly the need for competent, honest, and diligent actions by the government and corporations involved in dealing with highly dangerous radioactivity. USEC has clearly shown by its actions that this sort of honesty and above-board policy is lacking. For the NRC to grant a license to a questionable corporation would constitute complicity in these irregular, unsafe and illegal actions.

Patricia A. Marida

Ohio Sierra Club Toxics Committee