



## Department of Energy

Oak Ridge Operations Office  
P.O. Box 2001  
Oak Ridge, Tennessee 37831—

December 12, 2007

Mr. William Travers, Regional Administrator  
U.S. Nuclear Regulatory Commission Region II  
Sam Nunn Atlanta Federal Center, 23 T85  
61 Forsyth Street, SW  
Atlanta, Georgia 30303-8931

Mr. James Caldwell, Regional Administrator  
U.S. Nuclear Regulatory Commission Region III  
2443 Warrenville Road  
Suite 210  
Lisle, Illinois 60532-4352

Dear Mr. Travers and Mr. Caldwell:

### **INVITATION TO PARTICIPATE AS A COOPERATING AGENCY IN THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT (EA) UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)**

The purpose of this letter is to invite the U.S. Nuclear Regulatory Commission (NRC) to participate as a cooperating agency in the preparation of the EA for the Disposition of Radioactively-Contaminated Nickel Located at Department of Energy (DOE) Facilities in Oak Ridge, Tennessee, and Paducah, Kentucky. DOE proposes to disposition approximately 15,300 tons of nickel metal scrap recovered from equipment used in the uranium enrichment process. The nickel that is the subject of this EA was generated in areas maintained under DOE radiological controls and is considered to be volumetrically contaminated.

The nickel inventory has not been released for recycling in an unrestricted manner because of the January 12, 2000, DOE Secretarial moratorium on the unrestricted release of DOE volumetrically-contaminated metals, and the subsequent July 13, 2000, DOE Secretarial suspension on the unrestricted release for recycling of scrap metals from DOE radiological areas. These moratoria currently prohibit DOE from releasing or recycling the stored radioactively-contaminated nickel in an unrestricted manner. In March 2007, DOE sought Expressions of Interest (EOI) from industry related to alternatives for the disposition of the nickel. Information from the responses to the EOIs has formed the basis for the development of a draft Nickel Disposition Plan.

William Travers  
James Caldwell

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The proposed action, described in this EA, would allow the stored contaminated nickel to be used in a controlled manner, making high quality product, e.g., stainless steel or other alloys. The material will not be dispositioned for unrestricted release for recycling into commerce, and this EA does not evaluate an unrestricted release alternative. All aspects of the recycling and production would be controlled and the final products would be controlled for use in radiological applications only - that is, for DOE controlled, NRC licensed<sup>1</sup>, or otherwise regulated use in radiological facilities. The industrial activities associated with the proposed action are assumed to occur at the East Tennessee Technology Park in Oak Ridge, Tennessee; the Paducah Gaseous Diffusion Plant Site in Paducah, Kentucky; or at a generic non-DOE manufacturing facility regulated under NRC license or otherwise regulated. Therefore, DOE is inviting NRC to participate as a cooperating agency in the preparation of the EA.

If NRC accepts this invitation to be a cooperating agency, please let us know how the agency would like to participate, e.g., review of the document either before release to the public or during the public comment period. If I do not hear from you by January 14, 2008, then I will assume that NRC is not interested in participating as a cooperating agency in the preparation of the EA.

If you have any questions regarding this letter or DOE's NEPA process, please contact me by telephone at (865) 576-0273, or by email at [hartmangs@oro.doe.gov](mailto:hartmangs@oro.doe.gov).

Sincerely,



Gary S. Hartman  
ORO NEPA Compliance Officer

cc:

Carol Borgstrom, GC-20, FORS  
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Larry Clark, NS-50, ORO  
Patty Bubar, NRC  
Samuel Collins, NRC Region I  
Elmo Collins, NRC Region IV  
William Murphie, PPPO

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<sup>1</sup> As used in this EA, NRC-licensed is intended to mean a facility that is licensed and regulated by the U.S. Nuclear Regulatory Commission or the appropriate Agreement State.