

December 24, 2008

MEMORANDUM TO: Marissa G. Bailey, Deputy Director
Special Projects and Technical
Support Directorate
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

THRU: Thomas Hiltz, Chief */RA/*
Advanced Fuel Cycle, Enrichment,
and Uranium Conversion Branch
Division of Fuel Cycle Safety
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FROM: Breeda Reilly, Senior Project Manager */RA/*
Advanced Fuel Cycle, Enrichment,
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Division of Fuel Cycle Safety
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Office of Nuclear Material Safety
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SUBJECT: DECEMBER 10, 2008, PUBLIC MEETING SUMMARY:
AREVA NC EAGLE ROCK ENRICHMENT FACILITY MEETING
ON THE LICENSING PROCESS

On December 10, 2008, the U.S. Nuclear Regulatory Commission staff conducted a public meeting in Idaho Falls, Idaho, to discuss its licensing process for the proposed AREVA NC Eagle Rock Enrichment Facility.

CONTACT: Breeda Reilly, NMSS/FCSS
301-492-3110

M. Bailey

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I am enclosing the meeting summary for your use. This summary contains no proprietary or classified information.

Docket No.: 70-7015

Enclosure: AREVA NC Meeting Summary

cc: RKrich/AREVA	WPreacher	GGilliam	BBrailsford	RChristensen
LStaker	JFuhriman	MVirtue	LGonzales	CBidstrup
LAllgood	WBrower	CJolley	LCarter	JWeatherby
PRickards	KBarr	CCanter	LBeard	SLarsen
IHardcastle				

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RHannah/RegII	RTrojanowski/RegII	GSuber/FSME
PBubar/FSME	AREVA Website-Yes	

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OFC	AFCB		AFCB		AFCB	
NAME	BReilly		CGibbs		THiltz	
DATE	12/22/08		12/ 24 /08		12/24/08	

OFFICIAL RECORD COPY

Summary of
AREVA NC Public Meeting on the Licensing Process

DATE December 10, 2008

PLACE Shilo Inn Conference Center
Idaho Falls, Idaho

PURPOSE

The purpose of this meeting was to discuss the U.S. Nuclear Regulatory Commission's (NRC's) licensing process for the AREVA NC (AREVA) Eagle Rock Enrichment Facility.

DISCUSSION

Prior to the formal presentations, the NRC held an open house in which staff were available to informally discuss the project with the public. The participating NRC representatives were Mr. Thomas Hiltz, Mr. Brian Smith, Ms. Gloria Kulesa, Ms. Breeda Reilly, Ms. Carrie Safford, and Mr. Roger Hannah. A handout of the NRC posters was made available to the public and a copy is attached (Attachment 1).

Following the open house, Mr. Hiltz welcomed a standing room only crowd (close to 400 people) and introduced the NRC staff. Mr. Hiltz discussed the NRC's overall mission and stated that the NRC is an independent agency responsible for ensuring the protection of public and worker health and safety in the commercial use of radioactive materials. Mr. Hiltz emphasized that the NRC is not an advocate of any nuclear facility, but a regulator. Mr. Hiltz also acknowledged concerns among local officials and others about the length of time for the NRC's licensing review. The NRC projects that the review and hearing processes will take 30 months. The schedule may potentially be impacted by several factors, including budget, quality of the application, timeliness of responses from the applicant, and the possibility of a contested hearing. In terms of budget, the NRC is currently operating under a continuing resolution, at levels budgeted for fiscal year 2008.

Ms. Breeda Reilly then presented the NRC's licensing process for uranium enrichment facilities. AREVA's proposed uranium enrichment plant will be located in Bonneville County, Idaho, at a site about 18 miles west of Idaho Falls. AREVA plans to use a centrifuge technology, developed in Europe. AREVA will submit the license application to the NRC by the end of 2008. The NRC will perform a technical review of the application to ensure it meets NRC's health and safety requirements as found in the regulations in Title 10, Parts 40 and 70, of the *Code of Federal Regulations*. In addition to the technical review, a mandatory hearing is required for enrichment plants and the opportunity for a contested hearing will be made after the license application has been accepted for review. By regulation, construction would not begin until the NRC issues a license for construction and operation.

Ms. Gloria Kulesa provided information on the NRC's process for preparing an environmental impact statement (EIS), as presented in Title 10 Part 51, of the *Code of Federal Regulations*. She explained that the EIS is intended to describe potential environmental impacts of proposed federal actions. Public input is an important part of the scoping process. Once the NRC accepts the application for a technical review, the NRC would conduct a public meeting in

Idaho Falls to obtain public input on areas that should be included in the scope of the environmental evaluation. After completion of the scoping process, the NRC would prepare a draft EIS. The public would be invited to comment on the draft EIS and a public meeting would be conducted to take public comments. Following consideration of comments on the draft EIS, the NRC staff will prepare a final EIS.

A copy of the NRC's presentation is attached (Attachment 2).

The meeting was then opened to questions and comments from the public. Many elected officials made comments, either in person or through a representative, including Larry Craig, United States Senator; Mike Crapo, United States Senator; Mike Simpson, United States Representative; C.L. Butch Otter, Governor of Idaho; Dean M. Mortimer, Idaho Senator; Erik Simpson, Idaho House of Representatives; Janice McGeachin, Idaho House of Representatives; Russ Matthews, Idaho House of Representatives; Jeff Thompson, Idaho House of Representatives; Lee Staker, Bonneville County Commission; and Jared Fuhriman, Mayor of Idaho Falls. Other speakers included the Mayor's Youth Advisory Council and representatives of many organizations and businesses, including the National Foundation for Women Legislators; Grow Idaho Falls; International Isotopes; International Brotherhood of Electrical Workers; Idaho National Laboratory Retired Employees Association; Coalition 21; Partnership for Science and Technology; Good Samaritan Society; Environmentalists for Nuclear Energy; and International Management Solutions. Many private citizens also spoke. In addition to the oral comments, 48 letters and emails from local officials, chambers of commerce, non-profit organizations, businesses, and private citizens were submitted to the NRC. All of the written comments submitted in response to, or as part of, this meeting are attached (Attachment 3). In general, comments were supportive of the AREVA Eagle Rock Enrichment Facility and urged the NRC to move forward rapidly on the licensing review.

A question was asked regarding the contested hearing process. Mr. Brian Smith indicated that shortly after the AREVA license application is submitted and accepted for review, an order will be issued offering members of the public an opportunity to petition for a contested hearing. The contested hearing is a formal adjudicatory process. To be admitted as a party to a contested hearing, an individual must demonstrate standing, that is, be able to demonstrate injury from the issuance of the license, and have at least one admissible contention. An admissible contention would be a specific disagreement in fact or law related to an NRC licensing issue, concerning either the technical or environmental review.

After the public comments, the NRC staff provided contact information for the project managers and provided web site addresses for obtaining further information on the AREVA application and uranium enrichment. These contacts are found in the attached presentation (Attachment 2).

ACTION ITEMS

None

Attachments:

1. NRC Posters on License Application Review Process and Environmental Impact Statement (ML083530186)
2. Presentation on NRC Responsibilities (ML083530021)
3. Statements Submitted to the NRC for the December 10, 2008 Public Meeting (ML083530024)