

June 18, 2009

David Bernhart, Director
Protected Resources Division
National Oceanic and Atmospheric
Administration (NOAA) Fisheries
Southeastern Regional Office
263 13th Avenue South
St. Petersburg, FL 33701-5505

SUBJECT: REQUEST FOR INFORMATION REGARDING ENDANGERED OR
THREATENED SPECIES AND CRITICAL HABITAT RELEVANT TO THE
PROPOSED GENERAL ELECTRIC-HITACHI GLOBAL LASER ENRICHMENT
(GLE) COMMERCIAL FACILITY

Dear Mr. Bernhart:

On January 30, 2009, General Electric-Hitachi (GEH) Global Laser Enrichment LLC submitted an Environmental Report (ER) to the U.S. Nuclear Regulatory Commission (NRC). The ER is one part of an application for a license to authorize construction, operation, and decommissioning of a proposed uranium enrichment facility. GEH proposes to build the facility on the existing General Electric/Global Nuclear Fuels-Americas site near Wilmington, North Carolina, in New Hanover County (Wilmington site). The facility, if licensed, would use a laser-based technology to enrich the isotope uranium-235 in uranium hexafluoride (UF₆) up to 8 percent by weight.

As established in Title 10 of the Code of Federal Regulations, Part 51 (10 CFR 51), the NRC regulation that implements the National Environmental Policy Act of 1969, as amended, NRC is preparing an Environmental Impact Statement (EIS) to address the environmental impacts associated with the construction, operation, and decommissioning of the proposed facility. In accordance with Section 7 of the Endangered Species Act of 1973, as amended, the EIS will include an analysis of potential impacts to endangered or threatened species or critical habitat in the action area. To support the environmental review, the NRC is requesting information from NOAA Fisheries to facilitate the identification of endangered or threatened species or critical habitat that may be affected by construction, operation, or decommissioning of the proposed facility. Any information you provide will be used to enhance the scope and quality of our review in accordance with 10 CFR 51 and 50 CFR 402.

The applicant's ER identifies 107 hectares (265 acres) of the 656 hectare (1621 acre) Wilmington site as the action area for the construction, operation, and decommissioning of the proposed facility. The coordinates for the center of the action area are 34.333923 °N and -77.945009 °W. The applicant has proposed to discharge stormwater, treated process wastewater, and, potentially, treated sanitary wastewater under existing National Pollutant Discharge Elimination System (NPDES) permits into an unnamed tributary to the Northeast Cape Fear River. Stormwater runoff also may be received by an unnamed tributary to Prince George Creek. We have enclosed additional background information regarding ecological resources on the Wilmington site, including a map showing the action area, as it appears in the applicant's ER. The applicant's ER is publicly available in the NRC Agencywide Documents

D. Bernhart

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Access and Management System (ADAMS) at <http://www.nrc.gov/reading-rm/adams.html> using accession number ML090910573.

We intend to use the EIS process to comply with Section 7 of the Endangered Species Act of 1973, as amended. After assessing information you provide, we will determine what additional actions are necessary to comply with the Section 7 consultation process. If you have any questions or comments, or need any additional information, please contact Christianne Ridge of my staff at 301-415-5673.

Sincerely,

/RA/

Andrea Kock, Chief
Environmental Review Branch
Environmental Protection and
Performance Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 70-7016

Enclosure:
Background Information

cc w/o enclosure:
See next page

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