



Department of Energy
National Nuclear Security Administration
Washington, DC 20585

February 2, 2009

Ms. Barbara O'Neal
Ms. Chris Tipton
Erwin Citizens Awareness Network
P.O. Box 1151
Erwin, TN 37650

Dear Ms. O'Neal and Ms. Tipton:

We recently received your December 24, 2008, letter concerning Nuclear Fuel Services' (NFS) proposal to process uranium hexafluoride (UF₆). Although you addressed your letter to Mr. Tobey, I am the official in charge of the Department's efforts to dispose of surplus fissile materials, and because he has now left the office, I am responding to you.¹ Your letter covered a large number of issues, most of which are not within our ability or authority to resolve.

As I am sure you know, NFS has a license from the Nuclear Regulatory Commission (NRC) to possess and use special nuclear material, including UF₆. The Department of Energy (DOE) has decided to convert approximately 170 kilograms of UF₆, and is in the process of finalizing contracts with NFS to perform this conversion work. Once converted to appropriate forms, this material will be returned to DOE for various uses. This conversion work, however, cannot be performed until NFS receives an amendment to its NRC license. As part of this license amendment process, NRC is, as NFS's regulator, responsible for the preparation of the National Environmental Policy Act and safety analyses. If NRC grants the license amendment, DOE would expect NFS to comply with all NRC license safety and environmental requirements, as well as applicable state and federal laws and regulations.

We understand that the NRC may conclude its license amendment review within the next several months. If authorized by the NRC to begin operations, we are informed that NFS intends to complete the conversion process within a year and return the converted UF₆ to DOE as safely and quickly as possible. This should satisfy your "bottom line" request.

Your letter indicates that Erwin residents have not seen a NEPA analysis associated with the proposed conversion of DOE's UF₆, although one has been completed as part of the NRC's consideration of NFS's license amendment request. Again, this is an NRC matter and we refer you to the NRC for a copy of the NEPA analysis.

¹ As an aside, you were correct in noting that the letter to you in June 2008 contained an incorrect date for the Oct 2007 EIS. That was an error that indeed should have been caught before it was sent, and I apologize for any confusion it generated.



As to the discussion in the December 9, 2008, conference call about decommissioning the commercial development line (CD line), one of the DOE contracts with NFS involving use of that facility already provides some funding for the eventual decommissioning of that line. Further discussions between DOE and NFS on this matter continue.

With respect to your concerns about shipping the UF₆ to NFS in the first place, the material was shipped primarily from the Portsmouth Gaseous Diffusion Plant or the Y-12 National Security Complex. As I am sure you can appreciate, information on the shipment of this material prior to the actual shipments taking place is classified in order to protect the security of the shipments.

As for your request that DOE fund a new environmental impact statement regarding the disposition of surplus highly enriched uranium, as stated in the June 2008 letter, the conclusion of the October 2007 Supplement Analysis was that the Department of Energy is not required to do a supplemental environmental impact statement. It follows that the Department is not required to prepare another environmental impact statement on the same subject at this time.

You urge DOE to begin cleaning up "the mess at Bumpass Cove." We are unaware of any connection between this area, the activities of DOE, and the work performed for DOE by its contractors.

Thank you for your interest in the HEU Disposition Program, which is an important element of the Nation's nonproliferation effort. Protecting the public's health, safety and security is important to both me and the Department of Energy.

Sincerely,



Kenneth M. Bromberg
Assistant Deputy Administrator
for Fissile Materials Disposition

Enclosure