

General Electric Hitachi Laser-Based Uranium Enrichment Facility

The General Electric Hitachi Plant: On April 28, 2008, General Electric Hitachi (GEH) announced it plans to build a laser-based uranium enrichment facility in Wilmington, North Carolina. The plant would use classified technology developed in Australia for uranium enrichment. Uranium enrichment is a process for increasing the concentration of the fissionable isotope, U-235, in uranium so that the uranium can be used in nuclear power plant fuel. Construction of the safety-related aspects of the facility cannot begin until the license has been issued.

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The U.S. Nuclear Regulatory Commission: The U.S. Nuclear Regulatory Commission (NRC) is an independent regulatory agency charged by Congress to regulate commercial uses of radioactive materials. It has no authority over the U.S. Department of Energy's nuclear activities, except for several facilities specifically identified by Congress. NRC will perform a licensing review of the GEH license application to ensure that it can be operated in a way that protects public and worker health and safety. NRC will also prepare an Environmental Impact Statement (EIS) for the proposed facility. NRC will not issue a license until GEH demonstrates it can meet NRC's regulations for protecting public health and safety and the environment. In addition, NRC will not authorize enrichment operations to begin until it has inspected the facility and determined that it has been constructed in accordance with the license application.

The Licensing Process: Before GEH can operate a uranium enrichment facility or construct safety-related parts of the facility, it must obtain a license from NRC. On January 30, 2009, GEH submitted an Environmental Report (ER) for the proposed facility. The ER addresses estimated environmental impacts of the facility. NRC will review the ER and conduct its own analyses to prepare an EIS. On April xx, 2009, GEH submitted its license application for the proposed facility. The NRC licensing process includes the following:

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1. GEH submits license application;
2. NRC performs license acceptance review to ensure application is complete (30 days);
3. If the application is acceptable, NRC will issue an Order announcing the consideration of the application and offering an opportunity to petition for a contested hearing;
4. NRC performs technical and environmental reviews;
5. NRC holds public scoping meeting for the EIS (about 3 months after ER is submitted);
6. NRC issues draft EIS and holds public meeting to obtain comments (about 12 months after ER is submitted)
7. NRC issues Safety Evaluation Report and final EIS (about 18 months after Order);
8. NRC completes hearings (about 30 months after Order); and
9. NRC makes licensing determination following a mandatory hearing (about 30 months after Order).

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Public Input: The public will have an opportunity to provide public input into the licensing process as follows:

1. Public meeting to discuss NRC licensing process (Completed in July 2008).
2. By petitioning for a contested hearing under Order initiating proceeding (about 1 month after license submittal). The public hearing is a formal adjudicatory process held before a panel of administrative law judges that preside over NRC administrative hearings. It is held under formal, court-like proceedings under NRC legal standards. A petitioner will need to demonstrate standing (show injury if the license is granted) and propose at least one admissible contention (specific technical or legal fact that can be litigated).
3. EIS Scoping Period and Public Meeting (meeting scheduled for May 19, 2009). The public meeting is intended to obtain public input on the areas NRC needs to consider in its EIS. Members of the public will also be able to send written comments to NRC during a 60-day public comment period. The comment period ends on June 8, 2009.
4. Draft EIS Comment Period and Public Meeting (about 12 months after ER is submitted). The public meeting is intended to obtain public comment on the draft EIS. Members of the public will also be able to send written comments to NRC during a 45-day public comment period.
5. Public meeting to discuss determinations in the Safety Evaluation Report and Final EIS (19 months after license application is submitted).
6. Public meeting to discuss NRC inspection activities, if license is issued (32 months after license application is submitted).

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