

June 17, 2010

Mr. Tom Walker, Chief  
Wilmington Regulatory Field Office  
U.S. Army Corps of Engineers  
Post Office Box 1890  
Wilmington, NC 28402-1890

SUBJECT: NOTIFICATION OF THE ISSUANCE OF AND REQUEST FOR COMMENTS ON  
THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED  
GENERAL ELECTRIC-HITACHI LASER-BASED URANIUM ENRICHMENT  
FACILITY NEAR WILMINGTON, NORTH CAROLINA

Dear Mr. Walker:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by General Electric-Hitachi (GEH) Global Laser Enrichment LLC (GLE) for a license to construct and operate a uranium enrichment facility on the existing General Electric Company site near Wilmington, North Carolina (Wilmington Site). The facility, if licensed, would use a laser-based technology to enrich the isotope uranium-235 in uranium hexafluoride (UF<sub>6</sub>) up to 8 percent by weight for use in fuel for nuclear power plants. As part of the review of the proposed action, the NRC has prepared the enclosed Draft Environmental Impact Statement (DEIS) (NUREG-1938). The DEIS includes analysis of relevant environmental issues, including potential impacts to wetlands, and documents the NRC staff's determination regarding the environmental impacts from the construction, operation and decommissioning of the proposed uranium enrichment facility.

By letter dated August 13, 2009, the NRC requested information from the U.S. Army Corps of Engineers about aquatic features on the Wilmington site that fall under jurisdiction of the Corps pursuant to its regulatory authority under Section 404 of the Clean Water Act of 1977, as amended. By letter dated November 23, 2009, the Corps responded, indicating that the project appeared likely to impact jurisdictional waters and/or wetlands regulated pursuant to Section 404 of the Clean Water Act and would, therefore, require Department of the Army authorization. The Corps noted that proposed impacts included the discharge of fill material into an unnamed tributary to Prince George Creek and an unnamed tributary to the Northeast Cape Fear River. The Corps also noted that, because the proposed project is located in one of the 20 coastal counties of North Carolina, a permit may be required by the North Carolina Division of Coastal Management.

The DEIS describes the NRC staff's evaluation of the potential impact of constructing, operating, and decommissioning the proposed uranium enrichment facility on surface waters and wetlands on the Wilmington Site. Based on this evaluation, the NRC staff's preliminary conclusion is that the cumulative impact on the surface water resources and wetlands from the construction, operation, and decommissioning of the proposed facility would be small.

With this letter, the NRC staff is forwarding the DEIS to you for your review and comment. We are requesting your comments on the DEIS and on our preliminary conclusions regarding aquatic features on the Wilmington site that fall under jurisdiction of the Corps pursuant to its

regulatory authority under Section 404 of the Clean Water Act. We will address your comments in the final environmental impact statement. Please provide any information or comments that you consider appropriate under the provisions of the National Environmental Policy Act of 1969, as amended, and the Clean Water Act of 1977, as amended, during the comment period, which ends on August 9, 2010. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mailstop: TWB-05-B01M, Washington, DC 20555-0001, or by e-mail to [GLE.EIS@nrc.gov](mailto:GLE.EIS@nrc.gov).

The NRC staff plans to hold two public meetings to discuss the analysis and results of the DEIS on Thursday, July 22, 2010, in Ballroom 5 of the Warwick Center at the University of North Carolina, Wilmington, North Carolina, 28403. The first meeting will convene at 2:30 p.m. and will continue until 5:00 p.m., as necessary. The second meeting will convene at 7:30 p.m., with a repeat of the overview portions of the first meeting, and will continue until 10:00 p.m., as necessary. The meetings will be transcribed and will include the following agenda items: (1) a brief presentation summarizing the NRC licensing review, (2) a presentation of the contents of the DEIS, and (3) an opportunity for interested government agencies, organizations, and individuals to provide comments on the draft report. Additionally, the NRC staff will host informal discussions 1 hour before the start of each meeting during which members of the public may meet and talk with NRC staff members informally. You and your staff are invited to attend.

If you have any questions or require additional information, please contact Ms. Jennifer Davis, Senior Environmental Project Manager, by phone at 301-415-3835, or by e-mail at [Jennifer.Davis@nrc.gov](mailto:Jennifer.Davis@nrc.gov).

Sincerely,

**/RA/**

Kevin Hsueh, Chief  
Environmental Review Branch B  
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:  
Draft EIS

cc: See next page

T. Walker

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Kevin Hsueh, Chief  
Environmental Review Branch B  
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: Draft EIS  
cc: See next page

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