

July 14, 2010

Sharon W. Kiefer
Idaho Department of Fish and Game
Assistant Director-Policy
P.O. Box 25
Boise, ID 83707

SUBJECT: NOTIFICATION OF THE ISSUANCE OF AND REQUEST FOR COMMENTS ON
THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED
AREVA ENRICHMENT SERVICES LLC EAGLE ROCK ENRICHMENT
FACILITY IN BONNEVILLE COUNTY, IDAHO

Dear Ms. Kiefer:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by AREVA Enrichment Services LLC (AES) for a license to construct, operate, and decommission a uranium enrichment facility near Idaho Falls in Bonneville County, Idaho. The proposed Eagle Rock Enrichment Facility (EREF), if licensed, would use a gas centrifuge process to enrich uranium-235 isotope found in natural uranium to concentrations up to 5 percent by weight. The enriched uranium would be used to manufacture nuclear fuel for commercial nuclear power reactors.

As part of the review of the application, the NRC has prepared a Draft Environmental Impact Statement (EIS) (NUREG-1945). The Draft EIS includes an analysis of relevant environmental issues, including potential impacts on ecological resources, and documents the NRC staff's preliminary determination regarding the environmental impacts from the preconstruction (e.g., site preparation), construction, operation, and decommissioning of the proposed uranium enrichment facility. Many of the activities required to build a uranium enrichment facility do not fall within NRC's regulatory authority and, therefore, are not "construction" as defined by the NRC. Such activities are referred to as "preconstruction" activities in Title 10 of the *U.S. Code of Federal Regulations* (10CFR) 51.45(c). The proposed 161-kilovolt (kV) electrical transmission line required to provide power to the proposed EREF also falls under this category.

By a letter dated June 22, 2009, and an email dated February 10, 2010, the NRC requested information from the Idaho Department of Fish and Game (IDFG) regarding ecological resources, including endangered species and critical habitats, at or in the vicinity of the proposed EREF site and proposed transmission line project. The IDFG responded with information in a letter dated August 4, 2009, and an email dated April 14, 2010. This information was used in the NRC's evaluation of potential impacts on ecological resources in the Draft EIS. Based on this evaluation, in the context of the National Environmental Policy Act of 1969, as amended (NEPA), under which the Draft EIS was prepared, the NRC staff's preliminary determination is that the impact on ecological resources from the preconstruction, construction, operation, and decommissioning of the proposed project would be small to moderate.

The NRC staff is forwarding the Draft EIS to you for your review and comment. We are requesting your comments on the DEIS and on our preliminary conclusions regarding ecological resources and will address your comments in the Final EIS. Please provide any information or comments on the enclosed Draft EIS that you consider appropriate during the comment period, which ends on Monday, September 13, 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 EagleRock.EIS@nrc.gov.

The NRC staff plans to hold a public meeting to discuss the contents of the Draft EIS on Thursday, August 12, 2010, at the Red Lion Hotel on the Falls Convention Center, 475 River Parkway, Idaho Falls, Idaho 83402. The meeting will convene at 7:30 p.m. and will continue until 10:00 p.m. The meeting will be transcribed and will include the following agenda items: (1) a brief presentation of NRC's roles and responsibilities and the licensing process, (2) a presentation summarizing the contents of the Draft EIS, and (3) an opportunity for interested government agencies, tribal governments, organizations, and individuals to provide comments on the Draft EIS. Additionally, the NRC staff will host informal discussions in an open house forum one hour before the start of the meeting, during which members of the public may meet and talk with NRC staff members. You and other IDFG staff are invited to attend.

If you have any questions or require additional information, please contact Mr. Stephen Lemont, Senior Project Manager, by phone at 301-415-5163, or by e-mail at Stephen.Lemont@nrc.gov.

Sincerely,

/RA/

Diana Diaz-Toro, Chief
Environmental Review Branch A
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.: 70-7015

Enclosure:
Draft EIS

cc w/o enclosure: See next page

The NRC staff is forwarding the Draft EIS to you for your review and comment. We are requesting your comments on the DEIS and on our preliminary conclusions regarding ecological resources and will address your comments in the Final EIS. Please provide any information or comments on the enclosed Draft EIS that you consider appropriate during the comment period, which ends on Monday, September 13, 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 EagleRock.EIS@nrc.gov.

The NRC staff plans to hold a public meeting to discuss the contents of the Draft EIS on Thursday, August 12, 2010, at the Red Lion Hotel on the Falls Convention Center, 475 River Parkway, Idaho Falls, Idaho 83402. The meeting will convene at 7:30 p.m. and will continue until 10:00 p.m. The meeting will be transcribed and will include the following agenda items: (1) a brief presentation of NRC's roles and responsibilities and the licensing process, (2) a presentation summarizing the contents of the Draft EIS, and (3) an opportunity for interested government agencies, tribal governments, organizations, and individuals to provide comments on the Draft EIS. Additionally, the NRC staff will host informal discussions in an open house forum one hour before the start of the meeting, during which members of the public may meet and talk with NRC staff members. You and other IDFG staff are invited to attend.

If you have any questions or require additional information, please contact Mr. Stephen Lemont, Senior Project Manager, by phone at 301-415-5163, or by e-mail at Stephen.Lemont@nrc.gov.

Sincerely,

Diana Diaz-Toro, Chief
 Environmental Review Branch A
 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.: 70-7015

Enclosure:
 Draft EIS

cc w/o enclosure: See next page

DISTRIBUTION: CScott/OGC CSafford/OGC BReilly/NMSS THiltz/NMSS
 B Stapleton/NSIR JW Weil/OCA DMcIntyre/OPA LCamper/FSME
 DSkeen/FSME DDiaz-Toro/FSME DDorman/NMSS MBailey/NMSS
 RVirgilio/FSME JHenson/RII TGody/RII RTrojanowski/RII
 RHannah/RII JLedford/RII D. Seymour/RII RidsNmssOd

ML101650556

OFC	DWMEP	DWMEP	OGC	DWMEP
NAME	SLemont	TMoon by email	CSafford by email	DDiaz-Toro
DATE	07/09/10	07/13/10	07/12/10	07/14/10

OFFICIAL RECORD COPY

cc w/o enclosure:

Sam Shakir/AES
George Harper/AES
Jim Kay/AES
Jim Curtiss/Curtiss Law
Roger S. Christensen/Bonneville County
Dave Radford/Bonneville County
Lee Staker/Bonneville County
Steve Serr/Bonneville County
Cleone Jolley/Bingham County
Donavan Harrington/Bingham County
A. Ladd Carter/Bingham County
Jared Fuhriman/Idaho Falls

Wendy Reynolds/BLM
Jack Depperschmidt/DOE-INL
Theogene Mbabaliye/EPA Region 10
Suzi Pengilly/Idaho SHPO
Alonzo Coby/S-B Tribes
Willie Preacher/S-B Tribes
Mark Dietrich/IDEQ
Ty Matthews/USFWS
Andrea Shipley/SRA
Beatrice Brailsford/SRA
Liz Woodruff/SRA
Mike Virtue/Blackfoot