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Eagle Rock Enrichment Facility

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USNRC

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Location: (telephone conference)

Date: Wednesday, May 18, 2011

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD PANEL

+ + + + +

PRE-HEARING CONFERENCE

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IN THE MATTER OF: :

AREVA ENRICHMENT SERVICES: Docket No. 70-7015-ML

LLC : ASLB No. 10-889-02-ML-

(Eagle Rock Enrichment : BD01

Facility) :

-----X

Wednesday, May 18, 2011

Teleconference

The above-entitled matter came on for
prehearing conference, pursuant to notice, at 9:00
a.m. Eastern Daylight Time

BEFORE:

G. PAUL BOLLWERK, III Administrative Judge

DR. KAYE D. LATHROP Administrative Judge

CRAIG M. WHITE Administrative Judge

1 APPEARANCES:

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P R O C E E D I N G S

9:02 A.M.

CHAIRMAN BOLLWERK: Good morning, everyone. This is Judge Bollwerk in our Rockville, Maryland headquarters. And we're going to hold a pre-hearing conference this morning in the AREVA Enrichment Service LLC proceeding to discuss the upcoming site visit to the site of the facility in the July time frame, July 2011.

We called this prehearing conference this morning to try to work through some of the administrative details. Although we're a little under two months out from this it seemed to be a good time to go ahead and do that.

John Eser, our law clerk, is here with me this morning and also Judge Lathrop, Judge Kaye Lathrop, and Judge Craig White are on the line. Let's go ahead and have the parties introduce themselves for the record.

Let's start with the Applicant, AREVA.

MR. CURTISS: This is Jim Curtiss, C-U-R-T-I-S-S. Counsel to AREVA and we have George Harper, Jim Kay, K-A-Y, and Bob Poyser, P-O-Y-S-E-R, on the phone to discuss the site tour.

CHAIRMAN BOLLWERK: All right, thank you

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1 very much. And the NRC staff.

2 MS. LEMONCELLI: Good morning, this is
3 Mauri Lemoncelli for the NRC staff. I have with my
4 colleagues from the Office of the General Counsel,
5 Marcia Simon and Christine Boote, B-O-O-T-E.

6 At this time I would like the members of
7 the staff to introduce themselves, please.

8 MR. MOREY: This is Dennis Morey, Acting
9 Branch Chief for the Conversion/Deconversion
10 Enrichment Branch.

11 CHAIRMAN BOLLWERK: I think -- we didn't
12 quite hear your last name, I'm sorry.

13 MR. MOREY: Dennis Morey.

14 CHAIRMAN BOLLWERK: Thank you.

15 MR. MOREY: M-O-R-E-Y.

16 MR. LEMONT: Steve Lemont, Senior Project
17 Manager with NRC. I'm the Environmental Project
18 Manager for the Environmental Impact Statement.

19 CHAIRMAN BOLLWERK: All right, anyone
20 else?

21 MS. REILLY: This is Breeda Reilly. I'm
22 a Senior Project Manager for Licensing.

23 MS. DIAZ-TORO: This is Diana Diaz-Toro,
24 the Branch Chief for the Environmental Review Branch
25 at NRC.

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1 MS. LEMONCELLI: That's it for the staff,
2 Your Honor.

3 (Off the record.)

4 CHAIRMAN BOLLWERK: I thank everybody for
5 introducing themselves and I would mention and I will
6 try to do remember to do this myself, if you would,
7 please, before you speak, introduce yourself so the
8 court reporter will know who is speaking and I would
9 ask the court reporter if there's at any point he's
10 uncertain about exactly who is talking to please
11 interrupt us so we make sure we clarify that so the
12 record is clear. That is sometimes a little bit of an
13 issue with telephone conferences.

14 We've sent around an order dated -- I've
15 got to pull it up here, dated May 13th, setting up
16 this prehearing conference to talk about the site
17 visit. In that order we put in a number of items that
18 we thought we would discuss and I know Mr. Curtiss had
19 circulated among with the Board and the NRC staff a
20 copy of potential site tour agenda as well as a map.
21 Why don't we talk about that as well as the items that
22 are in the order. We'll go through the order and I
23 think a number of the items have been covered by what
24 Mr. Curtiss circulated, but we can review those again
25 and answer any questions about them or we'll try to

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1 clear up any ambiguities. And that's sort of the
2 purpose here.

3 Again, we have some time before this
4 happens, but it struck me as a good time to try to get
5 things on the table and begin to talk about them,
6 especially when we're not at a developed site like a
7 power reactor or a nuclear facility that's already
8 been constructed. That can sometimes be a little bit
9 ambiguous as to how you do it and what you do.

10 The first matter that we had were
11 logistics for coordinating the time and location of
12 the beginning of the site visit. In other words, when
13 and where do the Board and the parties meet to begin
14 the site visit. And I think Mr. Curtiss' itinerary
15 had proposed that we meet in Idaho Falls to go out as
16 a group out to the site. And did you have a
17 particular proposal in terms of some place to meet?

18 MR. CURTISS: I will turn it over to Jim
19 Kay in a minute. We really have two options. One to
20 meet at the location where the Panel is staying,
21 whatever hotel you will be staying at and leave at the
22 designated time which will allow us to complete this
23 tour by about 11 o'clock and be back at noon.

24 The other option would be to meet on the
25 site, but I think I'll turn it over to Jim Kay and I

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1 think we have a preference for meeting in town just to
2 facilitate -- coordinating the visit out to the site.

3 CHAIRMAN BOLLWERK: All right. Mr. Kay.

4 MR. KAY: Your Honor, this is Jim Kay. I
5 think between the two hotels, I believe a lot of the
6 AES people are staying at the Hilton and the NRC may
7 be at the Red Lion. They're near to each other. I
8 would propose that we meet at one of the hotels. I'm
9 just going to blurt out and say we meet at the Hilton.
10 And we do that at 8:15 and then we all drive out to
11 the site.

12 CHAIRMAN BOLLWERK: All right, let me see
13 if the NRC staff has any comments on that proposal.

14 MS. LEMONCELLI: No, Your Honor. We agree
15 to that and we thank Mr. Kay and Mr. Curtiss for the
16 proposal. We agree that that's a good idea.

17 CHAIRMAN BOLLWERK: All right. Judge
18 Lathrop or Judge White, do you have any comments?

19 ADMIN. JUDGE LATHROP: I don't. Judge
20 Lathrop.

21 ADMIN. JUDGE WHITE: No. That sounds fine
22 to me.

23 CHAIRMAN BOLLWERK: All right. The Board
24 will be staying at the Red Lion, but we don't have any
25 problem going to the Hilton. That's not an issue. So

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1 we can certainly do that.

2 I know there's a note that mentions that
3 four-wheel drive vehicles will be needed because of
4 the undeveloped nature of the site. I believe the
5 Board already has a four-wheel drive vehicle that's
6 already been arranged for. Is that a problem for the
7 staff?

8 MS. LEMONCELLI: This is Mauri Lemoncelli.
9 No, Your Honor, we will all have our own vehicles as
10 well and we will be renting four-wheel drive vehicles
11 appropriate for the site.

12 CHAIRMAN BOLLWERK: I take it, obviously,
13 since it's your proposal, you're not going to have an
14 issue with that?

15 MR. KAY: No, Your Honor.

16 CHAIRMAN BOLLWERK: All right, then I
17 guess the plan at this point would be to start at the
18 Hilton at 8:15. Drive out and I believe at this point
19 the Board will only have one vehicle. Does the staff
20 have a sense of how many vehicles and how many folks
21 are going to be going out with the staff?

22 MS. LEMONCELLI: We do, Your Honor. There
23 will be three attorneys, myself, Ms. Simon, and Ms.
24 Boote. We'll be in one vehicle. And then we believe
25 that Mr. Lemont, Ms. Reilly, and Ms. Diaz-Toro will be

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1 in another vehicle. So two total vehicles for the
2 staff.

3 CHAIRMAN BOLLWERK: All right. And is
4 that any kind of an issue for AREVA in terms of the
5 number of people coming and going out there?

6 MR. CURTISS: No, Your Honor.

7 CHAIRMAN BOLLWERK: All right. That
8 probably means then three vehicles in terms of the
9 Board and the staff and obviously AREVA, do you have
10 a sense of how many you'll have just so we'll --

11 MR. CURTISS: I believe AES will have two
12 vehicles.

13 CHAIRMAN BOLLWERK: Okay.

14 MR. CURTISS: No, I'm sorry, three,
15 probably three vehicles.

16 CHAIRMAN BOLLWERK: Okay. All right. The
17 only thing that would change for the Board, we need to
18 discuss some of our administrative staff here, but I
19 think at this point we'll probably only have one
20 vehicle. So unless I let you know differently, that's
21 what we're planning. So that looks like a total of
22 six vehicles leaving at 8:15 from the Hilton. All
23 right?

24 Then the next item on the agenda is to
25 arrive at the site and in this case there are some

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1 potato sheds that we'd park by. Anything you want to
2 tell us about that or we need to know?

3 MR. KAY: The potato sheds are the
4 landmark. We'll follow the road to the potato sheds
5 -- and directly behind the sheds is the parking area.
6 That's where we'll sort of convene and then start the
7 tour from there.

8 CHAIRMAN BOLLWERK: Okay. So we pull off
9 there just to make sure I guess everybody makes it out
10 in terms of the caravan. And I think if anybody gets
11 separated this is a fairly recognizable landmark so
12 they're not going to go buzzing by it?

13 MR. KAY: This is Jim Kay. Yes, that's
14 true.

15 CHAIRMAN BOLLWERK: Okay. And then I
16 think the next item on the itinerary and this goes to
17 the second topic in the agenda locations that will be
18 visited, observed on the Eagle Rock Enrichment
19 Facility site and at nearby locales. In other words,
20 what will the Board and the parties see during the
21 visit.

22 The first thing that's mentioned, I guess
23 is a drive to the archeological site which is MW004
24 and can you tell, is the site still fairly
25 undeveloped? Dirt roads? Are we talking about

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1 driving over open ground or what is the situation
2 there at this point?

3 MR. KAY: Your Honor, this is Jim Kay. We
4 should be able to drive on a dirt road and get close
5 to the proximity of the MW004. We will have to walk
6 up to the site, but it should provide a good vantage
7 point for us to not only look at the excavation but to
8 look at the remainder of the site as well from a
9 distance.

10 CHAIRMAN BOLLWERK: And I take it the
11 picture you sent us is a picture of one of the units
12 or the unit that was opened up there and has been
13 excavated?

14 MR. KAY: Yes, Your Honor. That is the
15 excavation, yes. And it will be completed, that's an
16 excavation in progress. There's a picture. The
17 excavation is completed, so you'll see the actual
18 completed --

19 CHAIRMAN BOLLWERK: Is it still open or
20 has it been filled in?

21 MR. KAY: It is still open.

22 CHAIRMAN BOLLWERK: Okay. So often when
23 you're done doing your excavation you take the back
24 fill and you put it back in the hole, but that hasn't
25 happened yet, I take it.

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1 MR. KAY: We don't have -- Your Honor,
2 this is Jim Kay. We don't have the clearance from the
3 Historical Society in order to do that.

4 CHAIRMAN BOLLWERK: So this all relates to
5 the Memorandum of Agreement that's still being worked
6 on.

7 MR. KAY: Your Honor, that's correct.

8 CHAIRMAN BOLLWERK: Okay, good enough.
9 Well, I take that even -- well, I guess that's a
10 question. If that is agreed to beforehand and one of
11 the questions we have outstanding with you all is what
12 the status of that is, but will that still be open by
13 the time in July we're out there or is there some
14 likelihood it might be filled in if there's an
15 agreement reached before then?

16 MR. KAY: Your Honor, that excavation will
17 be open for you to see.

18 CHAIRMAN BOLLWERK: All right, that will
19 be great if that's still the case, but if there's a
20 reason not to do that, then obviously you need to do
21 what's consistent with the Memorandum of Agreement.

22 And we would see that side, I take it, and
23 then is there anything else in that particular
24 vicinity that we would see?

25 MR. KAY: Your Honor, this is Jim Kay.

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1 From that vantage point, we should be able to see the
2 actual site that the plant will be situated on.
3 You'll be at the west side of the site and we'll be
4 able to look at the cleared area and we're also going
5 to be putting some stakes out there so that we can get
6 a feel for the size of the building, particularly the
7 SBM, the separation building modules, and the cylinder
8 storage pad.

9 CHAIRMAN BOLLWERK: All right.

10 MR. KAY: That way you'll be able to get
11 an orientation of those buildings.

12 CHAIRMAN BOLLWERK: I know one of the
13 things that was mentioned relative to the
14 archeological things that are out there, there is
15 another site called the Wasden site that's off the
16 Eagle Rock facility behind a ridge. Can you view that
17 from there in terms of the ridge and where it's at?

18 MR. KAY: Bob, can you address that?

19 MR. POYSER: Your Honor, this is Bob
20 Poyser. I'm out at the site in Idaho Falls. You
21 can't see the Wasden site directly from our facility,
22 but I can show you the general direction and it is off
23 of our property.

24 CHAIRMAN BOLLWERK: Okay, is that site
25 still open as well or is that one that's -- it sounds

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1 like it was used back in the '70s and '80s, maybe
2 '90s. It was clear to me they were still digging
3 there.

4 MR. POYSER: Your Honor, this is Bob
5 Poyser, they aren't digging there. It's a fence for
6 people to go up and look at and walk around, but
7 there's no excavation activity at that site.

8 CHAIRMAN BOLLWERK: Okay, thank you.
9 Then the next item on the proposed agenda would be the
10 building area. Well, I guess you already talked about
11 that, corners will be staked. Is that something else
12 we'd have to drive to, I take it?

13 MR. POYSER: Yes, Your Honor. This is Bob
14 Poyser. We'll have the building corners staked for
15 you. You will be able to see the building layout from
16 the MW04 archeological site, but we will drive over
17 closer to it and give you an opportunity to walk right
18 out on the site if you care to. That would be the
19 second stop on the tour.

20 CHAIRMAN BOLLWERK: Okay, and the cylinder
21 pad storage area is the third?

22 MR. POYSER: Yes. This is Bob Poyser
23 again, Your Honor. We'll take you to the northeast
24 corner of that pad and show you the general layout and
25 direction of that pad in relation to the property.

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1 CHAIRMAN BOLLWERK: Okay. I noticed the
2 map you sent us indicates there's an existing well.
3 Is that still there or is it --

4 MR. POYSER: Yes, it is. That's being
5 used by the farmer right now.

6 CHAIRMAN BOLLWERK: Okay. So there's --
7 is there a windmill there or something that makes it
8 look like a well or is it just a --

9 MR. POYSER: No, there's a thousand
10 horsepower pump, Your Honor.

11 CHAIRMAN BOLLWERK: All right.

12 MR. POYSER: And I should say, Your Honor,
13 that there will be four circles that are being
14 irrigated that have been planted in wheat, so you'll
15 see the wheat also.

16 CHAIRMAN BOLLWERK: Okay.

17 MR. POYSER: Do you want to make a stop at
18 the well head? We'll drive past it on the way off of
19 the property. If you care to stop, we can certainly
20 do that.

21 CHAIRMAN BOLLWERK: Let me ask Judge
22 Lathrop and Judge White, would that be something you
23 all would be interested in seeing?

24 ADMIN. JUDGE LATHROP: There are a lot of
25 them in my area. Judge Lathrop.

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1 ADMIN. JUDGE WHITE: Not necessary for me.
2 This is Judge White.

3 CHAIRMAN BOLLWERK: Let's leave that an
4 open question. It doesn't sound like we probably will
5 need to stop, but if that's possible, then we can sort
6 of change that itinerary and we may well do that. But
7 I appreciate the offer.

8 Then I guess once we seen the pad storage
9 area where the well head is, anything else that we
10 would then be viewing on the site?

11 MR. POYSER: This is Bob Poyser, Your
12 Honor. No, I don't think there's anything else. We
13 will have made basically a complete circle around the
14 property.

15 CHAIRMAN BOLLWERK: Okay. How much,
16 again, this is sort of a status question. How much
17 preconstruction work have you done there at this point
18 other than I guess there's a third road, obviously.

19 MR. POYSER: Your Honor, this is Bob
20 Poyser. We upgraded the existing farmer's road by
21 graveling it to a certain point. You'll see that,
22 obviously. We have done some minor grubbing of the
23 vegetation in a couple of areas, one for the
24 preliminary or the main access road and one for a
25 transmission line. And you can see the grubbed areas,

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1 but there's nothing dug into the ground at this point.

2 CHAIRMAN BOLLWERK: And do you anticipate
3 you're going to be doing any additional work prior to
4 the July time frame when we're going to be there?

5 MR. POYSER: No, sir. I don't believe
6 there will be anything done.

7 CHAIRMAN BOLLWERK: Okay.

8 MR. POYSER: We are going to keep the
9 weeds down on the circle where the facility will be
10 located, so we can manage weed control that way, but
11 it actually sits on an irrigated circle, so it's
12 pretty clean to begin with.

13 CHAIRMAN BOLLWERK: All right. Let me
14 just turn to Judge White or Judge Lathrop. Anything
15 additional that you all would like to see or have any
16 sense of in terms of the site visit?

17 ADMIN. JUDGE LATHROP: Judge Lathrop, I
18 think this is a good survey and that's sufficient for
19 me.

20 CHAIRMAN BOLLWERK: All right, Judge
21 White?

22 ADMIN. JUDGE WHITE: Yes, I agree.

23 CHAIRMAN BOLLWERK: All right, let me just
24 see if the staff, anything -- you all may have been
25 out to the site before, I don't know. Anything

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1 additional that you all would be interested in seeing
2 that would be available?

3 MS. LEMONCELLI: This is Mauri Lemoncelli
4 for the NRC.

5 CHAIRMAN BOLLWERK: Or I should say that
6 the Board should see that you're aware of. I'll put
7 it either way.

8 MS. LEMONCELLI: Mr. Lemont just commented
9 that perhaps the Board would like to see the
10 transmission lines.

11 CHAIRMAN BOLLWERK: All right, how would
12 that work out? Let me turn back to Mr. Kay in terms
13 of seeing that?

14 MR. POYSER: Your Honor, this is Bob
15 Poyser, if I might address that question. If we're
16 speaking about the 161 kV line, the main power line
17 that's going to come into the property, we can point
18 out the transmission like that already exists and its
19 location up to the point where it ends at a
20 substation.

21 We can show you the basic pathway from
22 that point on to our property and around our property
23 to the transmission, the new substation that we're
24 proposing to install.

25 There is nothing in sight right now that

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1 -- on the site that changes the appearance of the site
2 for the transmission line. So I can only show you the
3 area where it would be located.

4 The grubbing that I mentioned has to do
5 with a construction power line and we can take a look
6 at that point.

7 CHAIRMAN BOLLWERK: All right. That is
8 probably a good thing as well. We appreciate that.
9 It looks like the itinerary calls for us to be on the
10 site about an hour and 15 minutes to an hour and a
11 half. Does anything we've said here change any of
12 that or does that still seem to be about right?

13 MR. POYSER: Your Honor, I am proposing
14 that we spend about an hour on the property and the
15 other half hour we can spend at the staging area at
16 Hell's Half Acre.

17 CHAIRMAN BOLLWERK: Okay.

18 MR. POYSER: So it would be about an hour
19 and a half for the complete tour and then another half
20 hour to get back to town.

21 CHAIRMAN BOLLWERK: Okay. Let's talk for
22 a second about Hell's Half Acre. You all had
23 suggested that and we certainly think that's a good
24 idea. I take it we would drive back off your site and
25 then on to the Hell's Half Acre area, sort of what's

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1 involved with that, if you can describe it generally?

2 MR. POYSER: Your Honor, this is Bob
3 Poyser. Hell's Half Acre is about a mile down the
4 road and to the south of our property. We'll drive
5 off of Highway 20 on to a gravel road and it's about
6 a quarter mile drive into a staging point where
7 there's a trail head and there are some Park Service
8 signs right there at the property boundary.

9 You'll be able to view the lava flow
10 itself and you can walk up on top and get a little
11 better view of the entire lava flow, but it's very
12 massive and it extends for miles and miles. We won't
13 really get to the main fissure of Hell's Half Acre.
14 It's about four and a half miles away. But there is
15 a walking trail if you're up to walking.

16 CHAIRMAN BOLLWERK: All right. Go ahead.

17 MR. POYSER: Other than that, there's not
18 much to see. We can -- you can view the entire lava
19 flow as we drive out Highway 20 towards the site and
20 we'll point that out to you.

21 CHAIRMAN BOLLWERK: All right. Judge
22 Lathrop or Judge White, any comments on Hell's Half
23 Acre or anything in that regard you want to see we
24 haven't discussed?

25 ADMIN. JUDGE WHITE: This is Judge White.

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1 Is the area that we'd be stopping also the primary
2 area where people camp? Is there some kind of formal
3 campground there?

4 MR. POYSER: Your Honor, this is Bob
5 Poyser. No, it's really more of a staging area for
6 day hikes and there is a little area where they have
7 a table set up. It's also used for -- by other groups
8 to go out and walk on the lava. The main staging area
9 for getting to the fissure is off of Highway 15 and
10 that's way on the other side of Idaho Falls.

11 ADMIN. JUDGE WHITE: I see. And that
12 would be the more populated area as far as where
13 tourists would be likely to go?

14 MR. POYSER: Yes, sir. That's right.
15 There are two rest stops actually right in the middle
16 of the lava flow where the highway crosses it. And
17 there are interpretive centers at those two stops. So
18 there's a lot more information and generally travelers
19 would stop there, rather than going to where we're
20 going to go.

21 ADMIN. JUDGE WHITE: And those locations
22 you're referring to then are quite a bit further away
23 from the EREF site?

24 MR. POYSER: Yes, probably the way the
25 crow flies, I would say they're probably 20 miles.

1 ADMIN. JUDGE WHITE: Oh, I see. Thank
2 you.

3 MR. POYSER: Yes, sir.

4 CHAIRMAN BOLLWERK: Judge Lathrop,
5 anything you have concerning Hell's Half Acre?

6 ADMIN. JUDGE LATHROP: No, I have nothing.

7 CHAIRMAN BOLLWERK: All right. Let me
8 then turn to the staff and see if there's anything you
9 all have any comments about in terms of Hell's Half
10 Acre or anything else relative to the site or the
11 vicinity of the site you know about that you think
12 that would be of interest to the Board or to you all?

13 MS. LEMONCELLI: Your Honor, this is Mauri
14 Lemoncelli for the staff. We have no additional
15 comments.

16 CHAIRMAN BOLLWERK: All right. I thank
17 AREVA for sort of sorting this out. I think it sounds
18 like a very good site tour. You all have done some
19 thinking about this and we appreciate that. I know
20 it's a disruption to have all these folks come out on
21 to an undeveloped site, but it will be useful to the
22 Board and we do appreciate you going to the effort.

23 Let's finish going through the list a
24 second and make sure that we haven't missed anything
25 in terms of logistics.

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1 The next point I think we've already
2 covered which is the procedures and logistics
3 associated with the site visit. I'm sorry. It sounds
4 like really you all have some basic information you're
5 going to impart to us that you've already thought
6 about or will be thinking about over the next month or
7 so for each one of these sites, I take it. Maybe you
8 can make a presentation to us?

9 MR. KAY: Your Honor, this is Jim Kay.
10 Yes, we'll have information to present to you in terms
11 of what you'll be looking at and the various features.

12 CHAIRMAN BOLLWERK: Is there anything the
13 staff is going to want to tell us during this or are
14 you sort of along to watch and listen as well?

15 MS. LEMONCELLI: Your Honor, this is Mauri
16 Lemoncelli again. I think the staff will generally be
17 in observation mode.

18 CHAIRMAN BOLLWERK: All right. The next
19 point we had was site access and security requirements
20 and in terms of any limitations on the number of
21 visits or the arrangements necessary to make sure that
22 everybody gets access to the site and any other locals
23 we're going to be visiting.

24 Is there anything AREVA needs from any of
25 us in terms of site access information or security

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1 information or any security concerns that you want to
2 share with us?

3 MR. KAY: Your Honor, this is Jim Kay. At
4 this time there are no special requirements.

5 CHAIRMAN BOLLWERK: All right. Let me
6 then raise a related question. You had sent us, Mr.
7 Curtiss had sent us these two documents which I think
8 everybody has a copy of. I think the record would be
9 more complete if we put those in as part of the
10 transcript today, but does anybody have any objection
11 to that or a concern about that?

12 MR. CURTISS: Your Honor, AES doesn't have
13 any objection to that.

14 MS. LEMONCELLI: No objection from the
15 staff, Your Honor.

16 CHAIRMAN BOLLWERK: Let me then turn to
17 the court reporter. Is it possible to have -- I think
18 you've been sent two documents in PDF.

19 COURT REPORTER: I have two documents that
20 were provided to me by staff who has been in contact
21 with your staff. One is entitled EREF Site Tour
22 Monday July 11.

23 CHAIRMAN BOLLWERK: Right.

24 COURT REPORTER: And the other one is --
25 looks like a plat 4.5-1, the EREF footprint.

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1 CHAIRMAN BOLLWERK: Right. Would you mind
2 going ahead and marking the first one that you
3 described the EREF Site Tour as just Exhibit 1.

4 COURT REPORTER: And the second one, the
5 plat is called Eagle Rock Enrichment Facility
6 Environmental Report, 4.5-1 as Exhibit 2. And if you
7 could just put those into the record.

8 (Whereupon, the above-referred to
9 documents were marked as Exhibits 1 and 2
10 for identification.)

11 I think there's a map of the Hell's Half
12 Acre area. I think that's part of Exhibit 1. I think
13 that's all together as one document.

14 COURT REPORTER: I do not have a map. I
15 have a photograph of people working on a site.

16 CHAIRMAN BOLLWERK: There should be a
17 second page I think to that that if we need to send
18 you a different version of it, but I think it was all
19 together in the same PDF file.

20 COURT REPORTER: It might have all been on
21 the same PDF file, but staff might not have thought it
22 was helpful to me so it might not have been printed.
23 If not, I take it if I don't have it, we should get in
24 contact with Mr. Eser?

25 CHAIRMAN BOLLWERK: Yes, that will work.

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1 And we can certainly provide it for you. But it may
2 well be, as you see, I think it came all out of the
3 same file so you should have it. It should be two
4 pages. The site tour listing with the photographs and
5 the second one is the map with a description of the
6 Hell's Half Acre area.

7 COURT REPORTER: I understand, Your Honor.

8 CHAIRMAN BOLLWERK: So that would be the
9 site tour and the map would -- of the Hell's Half Acre
10 would be Exhibit 1 and the plat would be Exhibit 2.

11 COURT REPORTER: Got it.

12 CHAIRMAN BOLLWERK: If you could just
13 incorporate those into the transcript, we'd appreciate
14 it. Thank you very much.

15 All right?

16 COURT REPORTER: Yes, Your Honor.

17 CHAIRMAN BOLLWERK: In terms of and this
18 could be an issue, having supposedly going to a
19 baseball game yesterday when it got rained out and it
20 never rained, the plans in the event of inclement
21 weather, what would be -- I think obviously I think
22 it's a call, in large part, you all have to make in
23 terms of our ability to get on the site if the weather
24 is not good. So how would you propose to do that and
25 what, if anything, do we need to talk about?

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1 MR. KAY: Bob, I'm going to let you
2 address the inclement weather. It has to do with the
3 road access. This is Jim Kay. And our ability to get
4 out there.

5 MR. POYSER: Your Honor, this is Bob
6 Poyser. I believe that July 11th, the weather will be
7 dry enough and warm enough that we can get on to the
8 property and see all the sites that we intend to see.

9 If it happens to rain, the likelihood of
10 it being an intensity that would cause us to bog down
11 in mud is not likely. I think that we can for sure
12 get to the end of the gravel road which would take us
13 -- if you look at figure 4.5-1, it would take us to
14 the guard house location and we could at least if we
15 wanted to take a short walk and see the stakes from
16 there. But it would be muddy. If it is muddy, I
17 think we need to play it by ear.

18 CHAIRMAN BOLLWERK: Okay. Well, again,
19 we're going to kind of, in part, we need to leave that
20 up to you. We don't want a situation where we get a
21 bunch of people out there stuck in the mud. That's
22 not in your interest or ours, so if for whatever
23 reason you feel that it's not going to work, just let
24 us know and we're certainly going to understand
25 because we don't want anybody out in the middle of

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1 Idaho without a way to get back without a tow truck.

2 MR. POYSER: Yes, sir. I understand.
3 We'll be sure not to do that.

4 CHAIRMAN BOLLWERK: Right. Okay. And
5 again, that's something that we can -- if we need to
6 change plans that morning, there are different ways we
7 can work on it, but we'll anticipate hearing from you
8 all if it looks like there's a problem with the
9 weather.

10 The last thing I think we had was the
11 attire for the site visit. It looks like Mr. Curtiss
12 it's part of what we marked as Exhibit 1 for this
13 particular transcript. There are clothing
14 recommendations of good hiking boots, suitable
15 footwear. Are tennis shoes all right or is that going
16 to be an issue? Do you really need to have a hard
17 bottomed shoe or a harder bottom shoe?

18 MR. KAY: This is Jim Kay. I would
19 suggest that you have a hard bottom shoe.

20 CHAIRMAN BOLLWERK: Okay. Although you
21 said steel toes are not required. And then long
22 pants, no shorts, hat, light jacket, windbreaker,
23 sunscreen, sunglasses, everything to make sure you're
24 protected from the sun. Any questions? Go ahead, I'm
25 sorry.

1 MR. POYSER: Your Honor, this is Bob
2 Poyser. I wanted to mention two things. One is that
3 as we walk through the sage brush and around the MWO4
4 site, you might encounter ticks on your clothes, so
5 you want to be aware of them. And secondly, there
6 will be snakes out to greet you. So you want to be
7 careful around the rock areas.

8 As far as the site itself is concerned
9 where the buildings would be that's plowed ground and
10 it's fairly reasonably clear.

11 CHAIRMAN BOLLWERK: Okay. Any questions
12 the staff has about that?

13 MS. LEMONCELLI: No, Your Honor, not at
14 this time. Thank you.

15 CHAIRMAN BOLLWERK: So we should all
16 assume that this is an obviously an undeveloped site
17 with sort of somewhat cleared, but nonetheless a
18 fairly pristine stage or wild state, or as a piece of
19 farmed land. Does that sound about right?

20 MR. POYSER: Yes, sir.

21 CHAIRMAN BOLLWERK: Okay. Any questions
22 of Judge White or Judge Lathrop has about that?

23 ADMIN. JUDGE LATHROP: Judge Lathrop, no.

24 ADMIN. JUDGE WHITE: No questions.

25 CHAIRMAN BOLLWERK: All right. At this

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1 point I think we've pretty much gone through the
2 agenda that Mr. Curtiss has been kind enough to send
3 us and also the agenda items that the Board had put
4 together.

5 Let me see if there are any other
6 statements anybody needs to make?

7 MR. CURTISS: Your Honor, this is Jim
8 Curtiss for AES. We don't have any additional
9 comments and we think just confirming the weather as
10 Mr. Poyser indicated, this should work for the Board.

11 CHAIRMAN BOLLWERK: All right. Anything
12 from the staff's perspective?

13 MS. LEMONCELLI: Your Honor, this is Mauri
14 Lemoncelli for the NRC staff. Just one minor
15 clarification if we could. We just wanted to ensure
16 that there's only one Hilton so we're all at the
17 appropriate site. I believe it's the Hilton Garden
18 Inn. Perhaps we could share the address, just to
19 ensure that we all meet at the appropriate location.

20 MR. CURTISS: Your Honor, this is Jim
21 Curtiss, we'll circulate the address of the hotel.
22 We'll circulate that to the Board in the next week or
23 so.

24 MS. LEMONCELLI: Thank you, Mr. Curtiss.
25 Thank you, Your Honor. Nothing further.

1 CHAIRMAN BOLLWERK: All right. Let me
2 raise one question. I don't know that this is going
3 to be necessary, but if for some reason we had a
4 problem on Monday, is there a possibility this could
5 be moved to later in the week if the hearing didn't go
6 as long and we needed to reschedule it?

7 I'm not anticipating that, but what are
8 our options in that regard?

9 MR. POYSER: Your Honor, this is Bob
10 Poyser. There's no problem on my part out here in
11 Idaho Falls rescheduling it and getting you out on the
12 property.

13 MR. CURTISS: And this is Jim Curtiss. I
14 think our plans, Your Honor, consistent with your
15 schedule are to be out there Monday through Friday and
16 depart on Saturday, assuming the hearing didn't go the
17 entire week there may be some flexibility subsequent
18 to the completion of the hearing.

19 CHAIRMAN BOLLWERK: All right. Well,
20 again, I'm not anticipating that being an issue. It
21 sounds like the weather and Judge White is from that
22 area.

23 Does that sound pretty consistent, we're
24 not going to have a problem getting out there, you
25 think?

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1 ADMIN. JUDGE WHITE: I wouldn't anticipate
2 one, no, not that time of year.

3 CHAIRMAN BOLLWERK: All right. Then we'll
4 consider Monday to be the day and we should get it in.

5 In terms of the proceeding itself or the
6 time we're out there. I think we've outlined
7 generally what's going to be involved during that
8 week. You should be aware that there will be limited
9 appearance sessions one on Sunday afternoon. I don't
10 think we set the time yet, although we'll be doing
11 that in the near term and also Monday evening and then
12 the hearing itself would convene on Tuesday and
13 continue Tuesday, Wednesday, Thursday, depending on
14 what the issues that we're going to be having as well
15 as again we're waiting to hear from the Commission on
16 one certified question whether that will or won't need
17 to be dealt with then. But that's sort of the outline
18 of what's going on at this point.

19 Do either of the parties have any
20 questions about the balance of the schedule in terms
21 of the other items I just mentioned?

22 MR. CURTISS: This is Jim Curtiss, just
23 subject to conserving the time, the limited appearance
24 sessions on Monday and the location I think everything
25 is clear from the Board's previous orders.

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1 CHAIRMAN BOLLWERK: Okay. Again, we
2 haven't set a time. I think we're looking at
3 potentially starting the limited appearances on
4 Sunday. It is two or three o'clock, but we haven't
5 reached a final decision on that, but that's sort of
6 what we're thinking about. And these generally go a
7 couple of hours.

8 The one on Monday night is probably going
9 to be in the 7 o'clock time frame, so just a few -- we
10 haven't put out official notice about that, but I
11 think that's what we have in mind.

12 MR. CURTISS: We'll wait for guidance on
13 that.

14 CHAIRMAN BOLLWERK: All right. I think we
15 had given you the location of that previously. I'm
16 trying to remember the order. If not, it's basically
17 going to be -- well, it's going to be at the Student
18 Union building at the University Center at Idaho Falls
19 which is probably a joint campus of Idaho State and
20 University of Idaho. Have I got that right, Judge
21 White?

22 ADMIN. JUDGE WHITE: Yes.

23 CHAIRMAN BOLLWERK: It will be in the
24 Student Union there at a large multi-purpose room that
25 they have, both on Sunday afternoon and on Monday

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1 night.

2 ADMIN. JUDGE WHITE: And you'll set that
3 forth in an order?

4 CHAIRMAN BOLLWERK: Absolutely. I haven't
5 done it yet because if we issue the order too soon,
6 basically one of the ways that we get attendance at
7 these is to have a press release done and frankly we
8 won't put the press release out too early, the papers
9 won't pick it up anyway.

10 Probably within the next week, ten days,
11 we'll certainly be putting that order out. All right?

12 Any questions from the staff's
13 perspective?

14 MS. LEMONCELLI: Your Honor, this is Mauri
15 Lemoncelli with the staff. No questions at this time.
16 Thank you, Your Honor.

17 CHAIRMAN BOLLWERK: All right. Well, at
18 this point let me just ask Judge White or Judge
19 Lathrop, do you have any questions or comments?

20 ADMIN. JUDGE LATHROP: Judge Lathrop, no.

21 ADMIN. JUDGE WHITE: No, I don't.

22 CHAIRMAN BOLLWERK: All right, well, I
23 think at this point that we've basically done what we
24 needed to do today in terms of the site visit. Again,
25 I want to express our appreciation to AREVA for sort

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1 of scoping this out and making the site available for
2 the Board to visit on that Monday morning. I think
3 it's going to be a very useful event for the Board in
4 terms of seeing the things that are out there, getting
5 a better feel for what's there before we go into the
6 hearing on Tuesday.

7 And I guess we still have one set of
8 questions to be answered and we'll anticipate the
9 answers to those and then we'll be providing you all
10 with the presentation areas that we're interested in
11 for the environmental side and then we'll go forward
12 with the hearing in July.

13 Let me check to see if there's anything
14 further from AREVA at this point?

15 MR. CURTISS: Nothing further from us,
16 Your Honor.

17 CHAIRMAN BOLLWERK: Again, thank you very
18 much for helping us set this up.

19 Anything from the staff?

20 MS. LEMONCELLI: Nothing from the staff,
21 Your Honor. Thank you.

22 CHAIRMAN BOLLWERK: All right. Judge
23 Lathrop or Judge White, anything further?

24 ADMIN. JUDGE LATHROP: No.

25 ADMIN. JUDGE WHITE: Not here.

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1 CHAIRMAN BOLLWERK: All right then, we
2 appreciate you making yourselves available.

3 COURT REPORTER: I've got there quick
4 questions before you sign off.

5 CHAIRMAN BOLLWERK: Do you want to do it
6 now or offline?

7 COURT REPORTER: If we could do them now.
8 Question for NRC staff, the person who will be on the
9 tour, I didn't get the name. It sounds like Siataro?

10 MS. LEMONCELLI: I think that might be Ms.
11 Diaz-Toro. D-I-A-Z hyphen T-O-R-O. Thank you.

12 COURT REPORTER: Thank you. I see that
13 now. Another site was mentioned, sound like Wasden
14 site?

15 CHAIRMAN BOLLWERK: Yes, W-A-S-D-E-N, I
16 believe is how it's spelled.

17 COURT REPORTER: Okay, and I didn't get
18 Mr. Poyser's affiliation?

19 MR. POYSER: I'm with AREVA.

20 COURT REPORTER: Thank you very much.
21 Those are all my questions, Your Honor.

22 CHAIRMAN BOLLWERK: And if there's
23 anything further you need just contact us and we'll be
24 glad to help you out.

25 COURT REPORTER: Thank you, Your Honor.

1 CHAIRMAN BOLLWERK: Again, everyone thank
2 you for making yourselves available today and we are
3 adjourned.

4 (Whereupon, at 9:44 a.m., the telephone
5 conference was concluded.)
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CERTIFICATE

This is to certify that the attached proceedings
before the United States Nuclear Regulatory Commission
in the matter of: Areva Enrichment Services

Name of Proceeding: Pre-Hearing Conference

Docket Number: 70-7015-ML

Location: (telephone conference)

were held as herein appears, and that this is the
original transcript thereof for the file of the United
States Nuclear Regulatory Commission taken by me and,
thereafter reduced to typewriting by me or under the
direction of the court reporting company, and that the
transcript is a true and accurate record of the
foregoing proceedings.


John Mongoven
Official Reporter
Neal R. Gross & Co., Inc.

EREF Site Tour – Monday July 11th 2011, 9 AM -12 PM

Participants (~15-20)

- AES (Poyser (tour guide), Harper, Kay, Thomson, Curtiss, Smith)
- NRC (maybe up to 1/2 dozen)
- ASLB (3 judges plus a few support staff)

Clothing recommendations: good hiking boots or other suitable footwear (steel toe not required), pants – no shorts, hat, light jacket (wind breaker), sunscreen, sun glasses, etc

Site tour (~ 1 ½ hour)

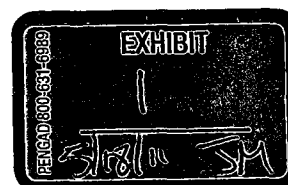
4 stops – (#1) MW004 excavation (also provides vantage points to SBM & pad stakes), (#2) close to building site (SBM stakes), (#3) cylinder storage pad area, and (#4) Hell's Half Acre

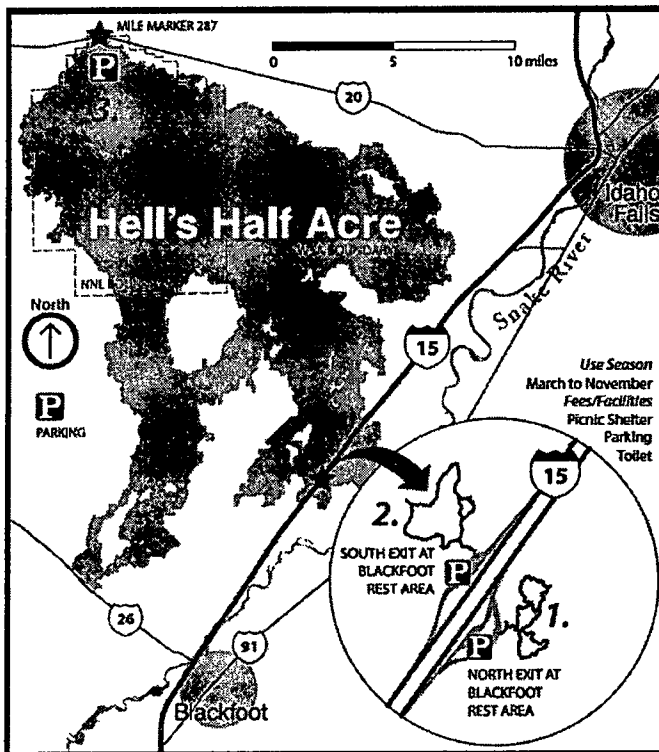
Itinerary (proposed)

8:15 - Meet in town to caravan out to site - drive out in 4-wheel drive vehicles
9:00 – Arrive at site (parking just beyond potato sheds)
9:15 – Drive to MW004 (walk to excavation & observe site)
9:45 – SBM/building area (corners will be staked)
10:00 – Cylinder pad storage area (corners will be staked)
10:15 – Leave site
10:30 – Arrive at Hell's Half Acre parking area (Rt. 20)
11:00 – Leave Hell's Half Acre and drive back to Idaho Falls



Typical of terrain (MW004 Site)





Hell's Half Acre is designated as a National Natural Landmark (NNL) and a Wilderness Study Area (WSA). These designations help preserve the area so the public can enjoy and study this unique geologic area in its healthy, natural condition. The Lava Trail System is open to non-motorized recreation activities only.

Visitors can explore the Lava Trail System in three locations:

1.) Hell's Half Acre Trail (Northbound I-15)

Two developed lava trails with interpretive signs discussing geology and biology of the lava flow; popular destination for environmental education groups.

Located about 20 miles southwest of Idaho Falls and 5 miles east of Blackfoot. While traveling northbound or southbound on Interstate 15, take the "Blackfoot Rest Area" exit. The interpretive trails are close to the parking area.

2.) Hell's Half Acre Trail (Southbound I-15)

Two developed lava trails with interpretive signs discussing geology and biology of the lava flow; popular destination for environmental education groups.

Located about 20 miles southwest of Idaho Falls and 5 miles east of Blackfoot. While traveling northbound or southbound on Interstate 15, take the "Blackfoot Rest Area" exit.

3.) Twenty Mile Trail

Undeveloped trails offering scenic solitude; short 0.5 mile loop trail and a 4.5-mile trail to the main vent of the Hell's Half Acre flow. Trails are primitive and marked with poles across lava. A fire ring and other amenities are located at the trailhead.

Travel west from Idaho Falls on Highway 20 to mile marker 287. Continue 0.3 miles until reaching a sign noting "Lava Trail." Turn south onto the gravel road and continue one-quarter mile to the trailhead.

