

**Response to Questions from the Public from the  
NRC Exit Meeting for NFS' Uranium Hexafluoride Process  
Erwin Town Hall – Erwin, TN  
Held on August 16, 2011**

**A. NFS Emergency Plan**

**1. Why is the NFS Emergency Plan not publically available?**

The NFS Emergency Plan is not publically available because it would be useful to an adversary planning an attack. Therefore, the document has a security classification of 'Official Use Only.' NFS supplies a copy of the Emergency Plan to each supporting offsite agency on a need to know basis, including: Unicoi County, Tennessee Emergency Management Agency (TEMA), law enforcement, fire departments, hospitals, etc. The NFS Emergency Plan does not contain any unique information that would be needed by the public.

**2. Do NRC regulations require an Emergency Planning Zone around facilities that process UF<sub>6</sub>?**

No. The NRC regulations in 10 CFR Part 70 do not require an Emergency Planning Zone around facilities that process UF<sub>6</sub>. When the final rule was published on April 7, 1989 (54 FR 14051), the Commission stated that formal evacuation planning was not considered necessary, appropriate, or feasible because of two factors – (1) realistically, exposures should generally be low compared to protective action guides and (2) the fast-moving nature of accidents of concern. Potential accident scenarios for fuel facilities handling and processing UF<sub>6</sub> have been extensively studied (See NUREG-1140 [ML062020791]). The extent of the postulated UF<sub>6</sub> accident consequences are similar in response and magnitude to accidents associated with other nuclear and industrial facilities which are not required to have an Emergency Planning Zone. On-site and off-site emergency response organizations are prepared for and continually trained for the emergency response of nuclear and industrial events at fuel facilities and other industrial businesses in their district.

**3. How often is the NFS Emergency Plan updated?**

The NFS Emergency Plan is updated on an annual basis, usually in the February time frame.

**B. What gives the NRC the authority to shutdown an NRC licensed facility?**

The NRC has the authority to modify, suspend, or revoke an NRC license as stated in the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974, as amended. The Atomic Energy Act of 1954, as amended, Section 186(a) states that a license may be revoked for the failure to operate a facility in accordance with the terms of the license or for a violation of this Act or any regulation of the NRC.

In order to modify, suspend, or revoke an NRC license, 10 CFR 2.202 states that the NRC must issue an order that alleges the violations the licensee is charged with, the stated hazardous condition, or other facts deemed to be sufficient grounds for the proposed actions. The licensee must respond to the order and has the opportunity to file for a hearing. If the NRC revokes an NRC license, it would cause a facility to shut down permanently.

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 ADAMS:  Yes      ACCESSION NUMBER: ML11255A182       SUNSI REVIEW COMPLETE  FORM 665 ATTACHED

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