

## Docket, Hearing

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**From:** Ryerson, Paul  
**Sent:** Friday, July 06, 2012 3:52 PM  
**To:** Julian, Emile  
**Cc:** Jackson, James; Garcia, Michael; Siarnacki, Anne  
**Subject:** FW: Re Docket No. 70-7016-ML - request to open laser enrichment hearing to public

In accordance with 10 C.F.R. 2.347(c), I request that the Office of the Secretary promptly serve the attached email communication on the parties and place it in the public record of the proceeding concerning GE-Hitachi Global Laser Enrichment LLC (Docket No. 70-7016-ML).

### PAUL S. RYERSON

Associate Chief Administrative Judge (Legal)  
Atomic Safety and Licensing Board Panel  
United States Nuclear Regulatory Commission  
Washington, DC 20555-0001  
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**From:** [tomclements329@cs.com](mailto:tomclements329@cs.com) [<mailto:tomclements329@cs.com>]  
**Sent:** Friday, July 06, 2012 3:04 PM  
**To:** Ryerson, Paul; Jackson, James; Garcia, Michael  
**Cc:** Eitreim, Anthony; Siarnacki, Anne; OCAAMAIL Resource; Docket, Hearing; Scott, Catherine; Safford, Carrie; Simon, Marcia; Barkman Marsh, Molly; Albert, Michelle; OGCMailCenter Resource; [harold.neems@ge.com](mailto:harold.neems@ge.com); [dsilverman@morganlewis.com](mailto:dsilverman@morganlewis.com); [martin.oneill@morganlewis.com](mailto:martin.oneill@morganlewis.com); [asalters@morganlewis.com](mailto:asalters@morganlewis.com); [anna.jones@morganlewis.com](mailto:anna.jones@morganlewis.com); [cmoldenhauer@morganlewis.com](mailto:cmoldenhauer@morganlewis.com)  
**Subject:** Re Docket No. 70-7016-ML - request to open laser enrichment hearing to public

July 6, 2012

To: Judge Paul S. Ryerson, Chair  
Judge James F. Jackson  
Judge Michael O. Garcia  
Atomic Safety Licensing Board

From: Tom Clements  
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Re: Request to open evidentiary hearing on GE-HITACHI GLOBAL LASER ENRICHMENT LLC, Docket No. 70-7016-ML, to the public

I am writing in regard to your "Fifth Revised Scheduling Order" (<http://pbadupws.nrc.gov/docs/ML1209/ML12095A170.pdf>) concerning the Global Laser Enrichment docket, in which you decided to close the evidentiary hearing to the public.

Given on-going concern with the laser enrichment license proceeding and the potential nuclear non-proliferation implications associated with the new laser enrichment technology, I am concerned about your closing of the entire proceeding. I have communicated with the NRC since early 2010 and submitted various filings for the docket and remain concerned about the issuance by the NRC of a license for the laser enrichment technology absent a nuclear proliferation assessment. As this proceeding is important to and has significant implications for U.S. nuclear non-proliferation policy, I respectfully request that you reconsider the decision to close the entire proceeding.

Though within your regulatory authority to close the hearing, the justification for closing this hearing which is of great importance to U.S. nuclear non-proliferation policy does not reflect the gravity of the policy matter at hand, in my opinion. While you state that the proceeding is being closed "because of the likelihood that non-public information will be addressed," this blanket ruling ignores the possibility of closing only portions of the hearing which deal with valid business-confidential or security-related matters which are not public. Various presentations by the NRC staff to be considered during the hearing are already public, indicating that much will be discussed which is not of a sensitive nature. Further justification appears to be due to the convenience of scheduling for the parties involved, in order that the hearing is concluded in two days.

Though I am not a formal intervenor in the docket at hand, I request that you reconsider the decision to close the entire proceeding.

I further request that this message be placed in the docket and in ADAMS in order to reflect my objection to the closing of the hearing in the face of the important nuclear non-proliferation matter now before the U.S. Government via the licensing proceeding for laser enrichment.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
)  
GE-HITACHI GLOBAL LASER ) Docket No. 70-7016-ML  
ENRICHMENT FACILITY LLC )  
(GLE Commercial Facility) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing TOM CLEMENTS EMAIL PROVIDED TO SECY FOR SERVICE BY JUDGE RYERSON have been served upon the following persons by Electronic Information Exchange.

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GE-HITACHI GLOBAL LASER ENRICHMENT FACILITY LLC  
DOCKET NO. 70-7016-ML  
TOM CLEMENTS EMAIL PROVIDED TO SECY FOR SERVICE BY JUDGE RYERSON

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[Original signed by Evangeline S. Ngbea]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 6<sup>th</sup> day of July 2012