



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

August 25, 2023

Linda Cataldo Modica
Erwin Citizens Awareness Network
P.O. Box 1152
Jonesborough, TN 37659

**SUBJECT: RESPONSE TO JULY 11, 2023, ERWIN CITIZENS AWARENESS NETWORK
LETTER REGARDING THE NUCLEAR REGULATORY COMMISSION REVIEW
OF THE NUCLEAR FUEL SERVICES LICENSE AMENDMENT REQUEST
(DOCKET NUMBER: 070-143)**

Dear Linda Cataldo Modica:

The U.S. Nuclear Regulatory Commission (NRC) staff is in receipt of your letter dated July 11, 2023, regarding Nuclear Fuel Services (NFS) response to the NRC's request for additional information (RAI) (Accession No. ML22193A034). The NRC is currently reviewing NFS' license amendment request (LAR), which proposes to add the U-Metal project to its Part 70 special nuclear materials license, SNM-124. The NRC staff is preparing a safety evaluation report and conducting an environmental review. Once complete, the results of these reviews will be made publicly available.

The NRC staff reviewed the information provided in your letter. As you noted, NFS's response to the NRC's April 28, 2022, RAI included the statement, "[t]he closest parallel is the downblending operations which has been safely performed by NFS for over 20 years." In reviewing a LAR, the NRC performs an independent analysis of application information to determine whether to grant a LAR. The NRC staff determined that the aforementioned statement is a subjective statement by the licensee and that evaluation of it is not part of the staff's review of the LAR. The NRC staff does not consider subjective statements in determining whether an application meets applicable licensing criteria.

Additionally, the NRC staff is aware of the March 6, 2006, event that you cited as documented in the inspection report dated June 9, 2006 (ADAMS Accession No. ML072630328). Such events are reviewed and addressed under the NRC's regulatory oversight process.

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The NRC appreciates your letter concerning the ongoing review of NFS' LAR. Any future public engagement opportunities regarding the NFS LAR are to be determined.

Should you have any questions regarding the NRC's environmental review please contact Ashley Waldron, Environmental Project Manager, at Ashley.Waldron@nrc.gov. Questions regarding the NRC's safety review should be directed to James Downs, Senior Project Manager, at James.Downs@nrc.gov.

Sincerely,



Signed by Rome, Michelle
on 08/25/23

Michelle S. Rome, Acting Chief
Environmental Review Materials Branch
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

Docket No. 070-143

License No. SNM-124

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Dated: August 25, 2023

ADAMS Accession No.: ML23207A178

OFC	NMSS:REFS:ERMB	NMSS:REFS:ERMB	NMSS:DFM	OGC	NMSS:REFS:ERMB
NAME	AWaldron	AWalker-Smith	JDowns	KRoach	MRome
DATE	07/26/23	08/04/23	08/06/23	08/24/23	08/25/23

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