

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Secretary

DOCKETED
USNRC

August 16, 2002 (11:20AM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF
August 8, 2002

In the Matter of)

NUCLEAR FUEL SERVICES)
LICENSE SNM—124)

Docket No. 70-143

THE REQUEST OF THE BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE FOR A
HEARING ON A LICENSE AMENDMENT FOR ~~NUCLEAR~~ FUEL SERVICES

This request is filed by Blue Ridge Environmental Defense League, Inc. on behalf of its members in Tennessee (BREDL) in response to the Nuclear Regulatory Commission's Federal Register Notice dated July 9, 2002 at FR 67-131 pp. 45555-45559.

Pursuant to 10 CFR 2, Subpart L, BREDL hereby requests that the Nuclear Regulatory Commission (NRC) hold a hearing in the matter of a license amendment for Nuclear Fuel Services (NFS) license for special nuclear materials, SNM—124, which would authorize construction and operation of a uranyl nitrate storage building, .

1. BREDL's interest in the proceeding; how our interests may be affected by the results

BREDL has a right to be made a party to the proceeding under the Atomic Energy Act. Emissions of radionuclides will increase if and when the license amendment requested by NFS is granted by NRC. We have members living and working within 10 and 20 miles of NFS in Elizabethton, TN and Mars Hill, NC who's health and well-being would be directly affected by the increase in radionuclide emissions caused by the proposed license amendment. Our interests in this matter include the submittal of a complete Environmental Impact Statement to determine the full extent of the proposed action on the environment and public health as required un the National Environmental Policy Act.

2. BREDL's concerns about the licensing activity that is the subject matter of the proceeding

The proposed methods and techniques to process blended low-enriched uranium involve construction and operation of an oxide conversion building and an effluent processing building, and the relocation of down blending operations for low-enriched uranium. The construction and operation of a uranyl nitrate storage building would be the first of three proposed license amendments in this process. Radioactive contamination caused by NFS would be increased by the operations under the proposed license amendment. We are concerned with the health and well-being of our members and the general public.

3. BREDL's property, financial, or other interest in the proceeding

BREDL's property, financial, or other interest in the proceeding include offices in Glendale Springs, NC and members' homes and property in Elizabethton, TN and Mars Hill, NC.

4. The possible effect of any order that may be entered in the proceeding on BREDL's interests.

BREDL seeks to reduce the extent of radionuclide contamination of air, water, and soil in the region affected by NFS. Nuclear Fuels Services Facility in Erwin, Tennessee has several contaminated buildings on site; one is contaminated with plutonium. NFS has proposed to decontaminate and demolish the plutonium-contaminated building in a decommissioning pilot program (see SECY-98-135, June 11, 1998). Under the program, pilot program sites were to be non-complex, minimally contaminated, and would undergo only routine decommissioning activities. Amendment of license SNM—124 would introduce new contamination, altering the site.

5. Significant hazard

The groundwater beneath the NFS property is contaminated with numerous toxic chemicals, including chloroform, vinyl chloride, tetrachloroethylene, tributyl phosphate, iodine, and isotopes of uranium, thorium and plutonium. The watershed of the Nolichucky River forms the headwaters of the Tennessee River. Numerous people living along this river system are exposed to these toxins via drinking water, bathing, recreation, and fishing. The persistent and bioaccumulative effects of these toxins reverses the effect of dilution by other streams. Therefore, a significant hazard exists for our members and the people of east Tennessee who utilize this river system.

6. Timeliness

This request is filed on August 8, 2002 via electronic mail and facsimile and via US Postal Service postmarked August 9, 2002 to NFS and NRC.

Respectfully submitted,



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