

**From:** Yawar Faraz  
**To:** Ewan Todd; Matthew Blevins  
**Date:** 10/14/04 8:22AM  
**Subject:** Re: USEC application

Ewan,

The NRC does not conduct a scoping process in the safety and security arenas as it is required to do in the environmental arena for uranium enrichment facilities. However, the review of an enrichment facility such as the ACP is subject to the hearing-related requirements contained in Subpart G of 10 CFR Part 2. In addition, the Commission's order CLI-04-30 which was issued last Thursday, establishes certain ground rules concerning the review. Therefore, if you are also interested in participating in the safety/security review process for the ACP, I recommend that you consult Subpart G and CLI-04-30.

Yawar Faraz  
Senior Project Manager  
Gas Centrifuge Facility Licensing Section  
Special Projects Branch  
Division of Fuel Cycle Safety and Safeguards  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington DC 20555  
ph no: (301) 415-8113  
e-mail: [yhf@nrc.gov](mailto:yhf@nrc.gov)

>>> Ewan Todd <[ewan@mathcode.net](mailto:ewan@mathcode.net)> 10/13/04 06:48PM >>>

Matt and Yawar,

Thanks for your prompt reply in this matter. I apologise for the abrupt tone of my concern about the scheduling of the scoping meeting, but it came as quite a shock, given that we have only just gained access to the application itself. However, my concern remains, precisely because the scoping process is in the planning stages of the environmental analysis. My philosophy is that good planning is essential for excellent execution. Consequently, I feel that we will offer you a better quality of public input if you give us an appropriate period of time to review the environmental report of the application. I still think three months is appropriate.

Has the notice of intent been published in the Federal Register yet? If it hasn't, I would suggest that my request for a January date satisfies the criterion for practicability stated in 10 CFR 51.29(a).

I'm glad that the scoping meeting is generally restricted to the material of the environmental report. That certainly cuts down the amount of reading I will have to do for it! Is there an analogous scoping provision for Yawar's safety evaluation process? I have been reviewing USEC's escalated enforcement history, and I suspect that I will ultimately have more to say about safety and security than I have about environmental issues.

Thanks again,

-e

On Wed, Oct 13, 2004 at 05:25:30PM -0400, Matthew Blevins wrote:

> X-Mailer: Novell GroupWise 5.5.4  
> Date: Wed; 13 Oct 2004 17:25:30 -0400  
> From: "Matthew Blevins" <MXB6@nrc.gov>  
> To: <ewan@mathcode.net>  
> Cc: "Yawar Faraz" <YHF@nrc.gov>  
> Subject: Re: USEC application

>

> Ewan,

> I am the one who decided on the scoping date. I was able to move it back three weeks, but based on the schedule that has been mandated by our Commission we can not postpone this meeting as long as you would like.

>

> The NRC regulations in 10 CFR Part 51 describe the scoping process. It's not just NRC that has scoping meetings early in the process. Our regulations are similar to the Council on Environmental Quality regulations which implement the National Environmental Policy Act for the Executive Branch. These regulations require that scoping begin as soon as practicable after the notice of intent is published.

>

> The scoping process is intended to define the proposed action, determine the scope of the statement, identify significant issues for the NRC to analyze in depth, and identify and eliminate from detailed study issues which are peripheral or not significant or have been covered by previous environmental review. In other words it's not intended to be the final results, it's a starting point.

>

> During the scoping process it is not expected, nor required, that you have reviewed the entire application. We're looking for input from the public to focus our analysis (we've only just begun the review ourselves). Also, the environmental impact statement is based largely on the applicants environmental report. The Safety Evaluation Report that Yawar's group is preparing is largely based on the License Application and ISA Summary. There are two separate review processes; one for safety and one for the environment. Together these reviews are used to inform the NRC decision maker.

>

> Once the scoping process is complete we will prepare a Scoping Summary Report that will describe how/if we handle the various issues that may be raised during the scoping process. At the same time we will be preparing the draft Environmental Impact Statement which will be published for public comment in the Summer of 2005.

>

> I hope this helps to explain what we are doing and why. Please let me know if you have any questions.

>

>

>

>

> Matthew Blevins  
> Senior Project Manager  
> Environmental and Low-Level Waste Section  
> Division of Waste Management and Environmental Protection  
> Office of Nuclear Material Safety and Safeguards  
> U.S. Nuclear Regulatory Commission  
> Washington DC 20555  
> (301) 415-7684

>

> >>> Ewan Todd <ewan@mathcode.net> 10/13/04 03:18PM >>>

>

> Yawar,

>

> Did Matt present my request to you that the date of the scoping  
> meeting be some time after Jan 8th?

>

> If so, why did you reject it?

>

> If the scoping meeting is held on Nov 15, the community will have had  
> less time to analyse the 1000-page application than the amount of time  
> the full-time NRC staff had to consider it between submittal (Aug 23)  
> and public release (Oct 8).

>

> -e

>

>

>

> > Scoping meeting

> >

> > A public scoping meeting will be held on Monday, November 15, 2004  
> > from 7:00 PM - 9:45 PM at the Vern Riffe Career Technology Center, 175  
> > Beaver Creek Rd., Piketon, Ohio. The purpose of this meeting is to  
> > discuss with interested members of the public the proposed action,  
> > alternatives, and impacts to be considered by the NRC in conducting  
> > the environmental review. For planning purposes, those who wish to  
> > present oral comments at the meeting are encouraged to pre-register by  
> > contacting Matthew Blevins of the NRC by telephone at 1-800-368-5642,  
> > Extension 7684, or by e-mail [mx6@nrc.gov](mailto:mx6@nrc.gov) no later than November 9,  
> > 2004. Interested persons may also register to speak at the meeting.  
> > NRC staff will be available for informal one on one discussion from  
> > 6:00 PM - 7:00 PM.

> >

> > Yawar Faraz

>

>

>

>

> On Tue, Oct 12, 2004 at 01:55:58PM -0400, Ewan Todd wrote:

> > Date: Tue, 12 Oct 2004 13:55:58 -0400

> > From: Ewan Todd <[ewan@mathcode.net](mailto:ewan@mathcode.net)>

> > To: [MXB6@nrc.gov](mailto:MXB6@nrc.gov)

> > Subject: Re: USEC application

> >

> >

> > Matt,

> >

> > I was thinking about this.

> >

> > The USEC ACP application docs (released Oct 8th as best I can tell)  
> > amount to something over 1000 pages. To analyse them properly,  
> > following up all the references and all, it would not be unreasonable  
> > to expect it to take four hours per page, or 2 man-years. Bear in  
> > mind that the community can't afford full-time analysts, and that  
> > we'll be doing this in our own time.

> >

> > I don't think it would be unreasonable to give us three months to  
> > prepare our response before the scoping meeting. Thus I request  
> > that the scoping meeting occur some time after Jan 8th, 2005.

> >

> > Regards,

> >

> > -e  
> >  
> >  
> > ----- Forwarded message from Elisa Young <[elisay@earthlink.net](mailto:elisay@earthlink.net)> -----  
> >  
> > From: "Elisa Young" <[elisay@earthlink.net](mailto:elisay@earthlink.net)>  
> > To: "Matthew Blevins" <[MXB6@nrc.gov](mailto:MXB6@nrc.gov)>  
> > Date: Tue, 12 Oct 2004 13:32:26 -0400  
> > Subject: Re: USEC application  
> >  
> > Who would community members send their response to for requesting more time  
> > so that it is taken into consideration in the decision making process?  
> >  
> > Elisa  
> > ----- Original Message -----  
> > From: "Matthew Blevins" <[MXB6@nrc.gov](mailto:MXB6@nrc.gov)>  
> > To: <[elisay@earthlink.net](mailto:elisay@earthlink.net)>  
> > Sent: Tuesday, October 12, 2004 1:27 PM  
> > Subject: Re: USEC application  
> >  
> >  
> > Elisa,  
> > No, the date is not set in stone. I am currently trying to get some  
> > decisions from my management. Hopefully, we'll have a decision later today  
> > or tomorrow on whether the date will remain the 26th or if we can delay.  
> > Matt  
> >  
> > >>>"Elisa Young" <[elisay@earthlink.net](mailto:elisay@earthlink.net)> 10/12/04 01:05PM >>>  
> > Has the date for the scoping meeting been confirmed.  
> >  
> > It's not very much time to review the document, and wondered who a request  
> > could be made to to extend the response time for comments? Other community  
> > members have voiced a similar concern.  
> >  
> > Thanks,  
> > Elisa  
> >  
> >  
> > ----- Original Message -----  
> > From: "Matthew Blevins" <[MXB6@nrc.gov](mailto:MXB6@nrc.gov)>  
> > To: <[elisay@earthlink.net](mailto:elisay@earthlink.net)>  
> > Sent: Tuesday, October 12, 2004 6:55 AM  
> > Subject: Re: USEC application  
> >  
> >  
> > Hi Elisa,  
> > Sorry for the delayed response, I was out of town last week. The  
> > application should be available on the NRC's Agencywide Document Access and  
> > Management System (ADAMS) using accession number ML042800551 through  
> > <http://www.nrc.gov/reading-rm/adams/web-based.html>. There is also some  
> > information on the main web page, <http://www.nrc.gov/>, under the October 7  
> > News Release. Another link that provides general gas centrifuge  
> > information is:  
> > <http://www.nrc.gov/materials/fuel-cycle-fac/gas-centrifuge.html>. Let me  
> > know if you have any questions.  
> >  
> >  
> >

> > Matthew Blevins  
> > Senior Project Manager  
> > Environmental and Low-Level Waste Section  
> > U.S. Nuclear Regulatory Commission  
> > (301) 415-7684  
> >  
> > >>>"Elisa Young" <[elisay@earthlink.net](mailto:elisay@earthlink.net)> 10/01/04 04:50AM >>>  
> > I have been checking the NRC website, but still have not seen where USEC's  
> > application is available for public review.  
> >  
> > I'd like to have time to read it through before the scoping meeting. With a  
> > full work schedule it may be difficult to do that in my spare time before  
> > October 26th if access is only given a week or two before the meeting.  
> > Even a month seems a little short.  
> >  
> > Do you know when it will be available, and/or what community members can do  
> > to expedite the process to receive copies now?  
> >  
> > Thanks,  
> > Elisa Young  
> >  
> >  
> >  
> >  
> >  
> >  
> >  
> > ----- End forwarded message -----  
>

**Mail Envelope Properties (416E6F7A.21F : 15 : 20780)**

**Subject:** Re: USEC application  
**Creation Date:** 10/14/04 8:22AM  
**From:** Yawar Faraz

**Created By:** YHF@nrc.gov

**Recipients**  
mathcode.net  
ewan (Ewan Todd)

nrc.gov  
twf4\_po.TWFN\_DO  
MXB6 (Matthew Blevins)

**Post Office**  
  
twf4\_po.TWFN\_DO

**Route**  
mathcode.net  
nrc.gov

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	20408	10/14/04 08:21AM

**Options**  
**Expiration Date:** None  
**Priority:** Standard  
**Reply Requested:** No  
**Return Notification:** None

**Concealed Subject:** No  
**Security:** Standard