

From: "Joseph Malherek" <jmalherek@citizen.org>
To: <nrcprep@nrc.gov>
Date: Tue, Dec 7, 2004 1:06 PM
Subject: Request to Extend Deadline for DEIS Comments

Dear Ms. Bradford:

Attached you will find a letter (in PDF format) from the Nuclear Information and Resource Service and Public Citizen requesting an extension of the public comment period on the Draft Environmental Impact Statement for the proposed National Enrichment Facility (NUREG-1790).

Due to the inaccessibility of essential documents pertaining to and including the NEF application and the DEIS -- which are necessary to drafting meaningful public comments -- we feel that it is inappropriate for the NRC to maintain the current deadline of December 18.

Regards,
Joe Malherek

Joseph P. Malherek

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T. Johnson (TCS)

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NUCLEAR INFORMATION AND RESOURCE SERVICE • PUBLIC CITIZEN

December 7, 2004

Anna Bradford
Two White Flint North, 7J-8
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
nrcprep@nrc.gov

Re: Renewed Request to Extend Public Comment Period on the Draft Environmental Impact Statement for the proposed National Enrichment Facility (NUREG-1790)

Dear Ms. Bradford:

The Nuclear Information and Resource Service (NIRS) and Public Citizen respectfully reiterate our request for an extension of the public comment period on the Draft Environmental Impact Statement (DEIS) for the proposed National Enrichment Facility (NEF) (NUREG-1790), which currently is set to expire on December 18, 2004 (69 FR 64983).

As you know, the NRC has closed its Agencywide Documents Access and Management System (ADAMS) to the public for an indefinite period for a security review. Thus, it is virtually impossible for anyone who has not already obtained a copy of NUREG-1790 to comment on this document. Moreover, supporting documents that may be relevant to NUREG-1790 are not available either. Ending the public comment period during a time when the relevant documents are not available to the public would make a mockery of the entire concept of public participation.

In addition, online access to the license application for the NEF and the similar American Centrifuge Plant has been blocked. According to Matthew Blevins of the NRC, this is due to the NRC's ongoing security review, although access to these documents had been maintained between October 25, when access to ADAMS was initially restricted, and November 30. The NRC cannot hold to the deadline of December 18 when the documents most essential to drafting comments are not conveniently available to the general public.

Thus, we reiterate our request that the NRC extend the public comment period on NUREG-1790 until 30 days following publication of a notice in the *Federal Register* that NUREG-1790 and all other documents related to and including the LES application (Docket No. 70-3103-ML) are again available for public access.

Sincerely,

Michael Mariotte
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