

March 13, 2012

MEMORANDUM: Patricia Silva, Chief
Conversion, Deconversion and
Enrichment Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

FROM: Matthew Bartlett, Project Manager **/RA/**
Conversion, Deconversion and
Enrichment Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
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SUBJECT: FEBRUARY 29, 2012, TELEPHONE CALL SUMMARY - DISCUSS
REVIEW SCHEDULE FOR INTERNATIONAL ISOTOPES FLUORINE
PRODUCTS LICENSE APPLICATION

On February 29, 2012, the U.S. Nuclear Regulatory Commission's staff held a telephone conference call with the president of International Isotopes, Inc., to discuss the review schedule for the International Isotopes Fluorine Products, Inc.'s, license application. Enclosed is the telephone summary for your use. The summary contains no proprietary or classified information.

Enclosure:
As stated

CONTACT: Matthew Bartlett, NMSS/FCSS
301-492-3119

cc: Mr. John J. Miller, CHP
International Isotopes, Inc.
4137 Commerce Circle
Idaho Falls, ID 83401

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Docket No. 40-9086

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DATE	03/08/12	03/08/12	03/13/12

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Telephone Summary Regarding Review Schedule for International Isotopes Fluorine Products's License Application

February 29, 2012

The participants in the telephone call included:

<u>U.S. Nuclear Regulatory Commission</u>	
John Kinneman (NMSS)	Drew Persinko (FSME)
Patricia Silva (NMSS)	Kevin Hsueh (FSME)
Matthew Bartlett (NMSS)	Asimios Malliakos (FSME)
Maria Guardiola (NMSS)	

<u>International Isotopes, Inc.</u>
Steve Laflin (INIS)

International Isotopes, Inc., (INIS) requested a call with the U.S. Nuclear Regulatory Commission's (NRC's) management to discuss the review schedule for the proposed International Isotopes Fluorine Products, Inc.'s, (IIFP) license application. A conference call was held on February 29, 2012, between the President of INIS, the Deputy Director of the Environmental Protection and Performance Assessment Directorate in the Office Federal and State Materials and Environmental Management Programs (FSME), the Director of the Division of Fuel Cycle Safety and Safeguards (FCSS) in the Office of Nuclear Material Safety and Safeguards (NMSS), and subordinate staff.

INIS expressed concern that the review schedules for both the Environmental Impact Statement (EIS) and Safety Evaluation Report (SER) have slipped since the review was initiated in December 2009. They also expressed concern that the review milestones displayed on the NRC's public Web site no longer reflect the projected review dates. INIS requested the NRC staff clarify the projected schedule for the completion of the SER and EIS; update the NRC's Web site on IIFP; and, if possible, provide intermediate milestones on the status of the review.

The NRC staff stated that the public web-site on IIFP is in the process of being updated and will be maintained on a regular basis. Progress on the EIS and SER were discussed. The Notice of Availability for the draft EIS was recently published in the *Federal Register* (see Vol., 77, page 2096, January 13, 2012). A draft of the SER is under internal review and is projected to be published in April 2012.

The review process for the EIS was also discussed. The final EIS must be developed following a prescribed process consistent with the National Environmental Policy Act (NEPA) and NRC's procedures. The remaining review process includes addressing public comments, review by the Environmental Protection Agency, and internal NRC reviews. Publication of the final EIS is projected to be completed in the August 2012 timeframe. Following publication, Title 10 of the *Code of Federal Regulations* 51.100(a)(ii) requires a 30-day wait period before the NRC can take licensing action.

INIS requested the NRC provide intermediate milestones for the final EIS. The NRC staff indicated this would not be possible due to the complex factors which impact the review process. The NRC staff committed to keep INIS better informed regarding the projected completion date for the review and to maintain the NRC public web-site on IIFP up to date. FSME also requested INIS provide updated information regarding State and local permits by March 8, 2012. INIS requested the NRC staff provide a summary of the level of effort required to respond to public comments received on the draft EIS. The NRC indicated some additional information on the comments may be available by the INIS drop-in with NRC management scheduled for March 15, 2012.

PRINCIPAL CONTRIBUTOR
Matthew Bartlett

Enclosure