

From: Buchanan, Misty [misty.buchanan@ncdenr.gov]
Sent: Friday, June 08, 2012 3:30 PM
To: Davis (FSME), Jennifer
Cc: Pearsall, Linda
Subject: Re: Comments Received on Final EIS for the Proposed GLE Facility - Wilmington, North Carolina
Attachments: NHP letter to US NRC Pearsall 2012.pdf

Dear Ms. Davis,

Attached, find a letter from Linda Pearsall in response to your email dated May 24, 2012. Please contact me or Linda if you have any additional questions.

Thanks,
Misty

Misty Buchanan, Natural Areas Inventory Manager
Natural Heritage Program
Office of Conservation, Planning, and Community Affairs
N.C. Dept. of Environment and Natural Resources
1601 MSC, Raleigh, NC 27699-1601
www.ncnhp.org
Phone: (919) 707-8107

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Pearsall, Linda
Sent: Thursday, May 24, 2012 3:33 PM
To: Davis (FSME), Jennifer
Cc: Diaz-Toro, Diana; McIntyre, David; Hannah, Roger; Kritzer, Jamie; Buchanan, Misty
Subject: RE: Comments Received on Final EIS for the Proposed GLE Facility - Wilmington, North Carolina

Jennifer,

Based on our conversation and the information provided in this email, we now understand that the proposed project will not impact the Northeast Cape Fear River Floodplain Significant Natural Heritage Area. We will try to send a clarifying letter within the next two weeks.

Linda

Linda Pearsall, Director
Conservation, Planning, & Community Affairs
North Carolina Dept. of Environment and Natural Resources
217 W. Jones Street
1601 Mail Service Center
Raleigh, NC 27699-1601

phone & fax: 919-707-8104
linda.pearsall@ncdenr.gov

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Davis (FSME), Jennifer [<mailto:Jennifer.DavisFSME@nrc.gov>]
Sent: Thursday, May 24, 2012 2:31 PM
To: Pearsall, Linda
Cc: Diaz-Toro, Diana; McIntyre, David; Hannah, Roger
Subject: Re: Comments Received on Final EIS for the Proposed GLE Facility - Wilmington, North Carolina

Dear Ms. Pearsall,

At our public information meeting about the Final Safety Evaluation Report and the Final Environmental Impact Statement (EIS) for the proposed GE-Hitachi Global Laser Enrichment (GLE) Facility on May 10, 2012, a member of the public cited a comment memorandum from your office, which was dated April 23, 2012. NRC staff received this comment memorandum as part of a larger submission from the North Carolina State Clearinghouse on May 1, 2012.

In the memorandum, Mr. Harry LeGrand commented that the Natural Heritage Program database contains several records of rare species and a portion of a large significant natural heritage area "within this large project area." Mr. LeGrand also stated that the project area identified in the Draft EIS (published in 2010) did not extend as far to the west and southwest as this natural area, but the Final EIS "has an expanded boundary that overlaps a nationally significant natural area." Per our conversation on May 14, 2012, it was determined that Mr. LeGrand interpreted Figure 3-12 of the Final EIS to represent only plant communities within the proposed GLE Facility site. However, this figure depicts plant communities within the larger Wilmington Site (owned by General Electric), and outlines the proposed GLE Facility project area within the larger Wilmington Site (to identify the plant communities within the areas affected by the proposed GLE Facility).

Also noted during our call, Figure 3-11 in the Draft EIS (which became Figure 3-12 in the Final EIS) was revised after publication of the Draft EIS with the sole intent of improving the print quality of the figure; the same is true for Figure 3-13 in the Draft EIS (which became Figure 3-14 in the Final EIS). Inadvertently, outdated versions of Figures 3-11 and 3-13 from the Draft EIS were improved and then included in the Final EIS; Figures 3-12 and 3-14 in the Final EIS should not include the proposed road to the south of the main GLE project area, as this road would not be developed for the proposed project. The features of Figure 3-12 in the Final EIS should be identical to those of Figure 3-11 in the Draft EIS (which does not show the proposed road to the south). Similarly, the features of Figure 3-14 in the Final EIS should be identical to those of Figure 3-13 in the Draft EIS (which does not show the proposed road to the south). The NRC has published corrected pages for the Final EIS that include the correct Figures 3-12 and 3-14; these corrected pages are available at Agency wide Documents Access and Management System (ADAMS) Accession Numbers ML12145A486 and ML12145A482. For convenience, I have enclosed the revised figures with this email.

As discussed in Section 3.8.3 and shown in Figures 3-12, 3-13, and 3-14 of the Final EIS, the proposed GLE Facility does not overlap the Northeast Cape Fear River Floodplain natural area. The proposed project footprint has not changed since publication of the Draft EIS. Therefore, there would be no direct impacts on this natural area (see Section 4.2.8.1 of the Final EIS).

Since this issue was raised at our public meeting, and in order to disclose this clarification to the public, the NRC requests that your office either withdraw your previous comments and submit a revised memorandum, or provide a response that the issue has been satisfactorily addressed.

Also, during our discussion on May 14, 2012, you asked if GE-Hitachi Global Laser Enrichment LLC's ownership of the land extends to the Northeast Cape Fear River. GLE owns the land within the proposed project boundary. The land outside of the proposed project area, which extends to the Northeast Cape Fear River, is owned by General Electric (GE). GE does not have any plans to develop the area south of the proposed GLE Facility, because it is part of the nationally significant Northeast Cape Fear River Floodplain. Development associated with the proposed GLE Facility would occur in the upland area.

Please let me know if you have any additional comments or questions. Thank you for your assistance.

Jennifer

Jennifer Davis
Senior Environmental Project Manager
Division of Waste Management and Environmental Protection
U.S. Nuclear Regulatory Commission
Ph: 301-415-3835