

June 19, 2012

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
GE-HITACHI GLOBAL LASER ENRICHMENT)	Docket No. 70-7016-ML
LLC)	
)	
(GLE Commercial Facility))	ASLB No. 10-901-03-ML-BD01
)	

NRC STAFF PREFILED TESTIMONY
ON TOPICS 1A, 2, 4, 5 AND 6

Pursuant to the Licensing Board's Memorandum and Order (Identifying Areas of Prefiled Testimony) of May 16, 2012 (May 16 Order),¹ the NRC staff hereby submits prefiled testimony responsive to Topics 1A, 2, 4, 5 and 6 specified in that Order. The topics for prefiled testimony identified by the Licensing Board generally pertain to subjects discussed in the staff's Final Environmental Impact Statement (FEIS) and Safety Evaluation Report (SER) for the Proposed GE-Hitachi Global Laser Enrichment LLC (GLE) Facility in Wilmington, North Carolina.

The Licensing Board encouraged the parties to coordinate their testimony to avoid repetition, and directed the parties to submit the prefiled testimony in exhibit form, under oath, so that it is suitable for receipt into evidence without the necessity of the personal appearance of the witness.² The staff is providing prefiled testimony (and exhibits) responsive to the following topics in this submission: 1A, 2, 4, 5 and 6. The staff's prefiled testimony responsive to Topic 1A contains Sensitive Unclassified Non-Safeguards Information (SUNSI) (Security-Related Information and Proprietary) and thus will be filed separately as a non-public submission in the NRC's E-filing system. The affidavits of the reviewers identified as authors of the prefiled

¹ Memorandum and Order (Identifying Areas for Prefiled Testimony) (May 16, 2012) (unpublished).

² *Id.* at 6.

testimony submitted by the staff, as well as any new statements of professional qualifications, are appended to the prefiled testimony for each topic.

The staff will be providing prefiled testimony (and exhibits) responsive to Topics 1B and 3 in a subsequent filing. The staff is not providing prefiled testimony pertaining to the following topics: the first part of Topic 5E, and Topics 5F and 5G. Additionally, in a subsequent filing on or before June 25, 2012, the staff will be submitting as exhibits the documents referenced in the staff's responses to the Board's initial questions that are not being submitted in support of the staff's prefiled testimony.

Pursuant to a Board Order (Establishing Administrative Directives Concerning Prefiled Testimony and Exhibits), June 18, 2012,³ the Board advised the parties that voluminous records that are already an official agency record need not be resubmitted in their entirety to be considered part of the evidentiary record of this uncontested mandatory hearing. Rather, the parties have been instructed to provide reference to official agency records in the exhibit list by providing an exhibit number and identifying the document with reasonable specificity (*e.g.*, a brief description of the document and its Agencywide Document Access and Management System (ADAMS) accession number). The parties were further advised to submit other exhibits that do not fall within this category via the NRC's E-Filing system. Finally, pursuant to direction provided by the Board in its May 16 Order (Identifying Areas for Prefiled Testimony), the NRC staff will transmit an electronic copy of its prefiled exhibit list in Microsoft Word format to the Board's law clerk, Anne J. Siarnacki, after completing this filing.

³ Order (Establishing Administrative Directives Concerning Prefiled Testimony and Exhibits) (June 18, 2012) (unpublished).

Respectfully submitted,

/Signed (electronically) by/

Marcia J. Simon
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop: O15-D21
Washington, DC 20555-0001
(301) 415-1261
Marcia.Simon@nrc.gov

/Executed in accord with 10 C.F.R. § 2.304(d)/

Michelle D. Albert
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop: O15-D21
Washington, DC 20555-0001
(301) 415-5431
Michelle.Albert@nrc.gov

Dated at Rockville, Maryland
this 19th day of June, 2012.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
GE-HITACHI GLOBAL LASER ENRICHMENT)	Docket No. 70-7016-ML
LLC)	
)	ASLBP No. 10-901-03-ML-BD01
(GLE Commercial Facility))	
)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "NRC STAFF PREFILED TESTIMONY ON TOPICS 1A, 2, 4, 5 and 6" in the above-captioned proceeding have been served via the Electronic Information Exchange (EIE) this 19th day of June, 2012:

U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop: T-3 F23
Washington, DC 20555-0001

Paul S. Ryerson, Chair
Administrative Judge
E-mail: psr1@nrc.gov

James F. Jackson
Administrative Judge
E-mail: james.jackson@nrc.gov

Michael O. Garcia
Administrative Judge
E-mail: michael.garcia@nrc.gov

Anthony C. Eitrem, Esq., Chief Counsel
ace1@nrc.gov

Anne Siarnacki, Law Clerk
anne.siarnacki@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Rulemakings and Adjudication Staff
Mail Stop: O16-C1
Washington, DC 20555-0001
E-mail: HEARINGDOCKET@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop: O15-D21
Washington, DC 20555-0001

Catherine Scott, Esq.
Catherine.Scott@nrc.gov

Carrie M. Safford, Esq.
Carrie.Safford@nrc.gov

Marcia J. Simon, Esq.
Marcia.Simon@nrc.gov

Molly Barkman Marsh, Esq.
Molly.BarkmanMarsh@nrc.gov

Michelle Albert, Esq.
Michelle.Albert@nrc.gov

OGC Mail Center: OGCMailCenter@nrc.gov

U.S. Nuclear Regulatory Commission
Office of Commission Appellate
Adjudication
Mail Stop: O16-C1
Washington, DC 20555-0001
E-mail: OCAAMAIL@nrc.gov

Counsel for the Applicant
GE-Hitachi Global Laser Enrichment
3901 Castle Hayne Road
P.O. Box 780
Wilmington, NC 28402
Harold J. Neems, Esq.
General Counsel
Harold.Neems@ge.com

Counsel for the Applicant
Morgan, Lewis & Bockius
1111 Pennsylvania Ave., NW
Washington, DC 20004
Donald J. Silverman, Esq.
dsilverman@morganlewis.com
Martin J. O'Neill, Esq.
martin.oneill@morganlewis.com
Charles Moldenhauer, Esq.
cmoldenhauer@morganlewis.com
Anna Jones, Esq.
anna.jones@morganlewis.com
Audrea Salters
asalters@morganlewis.com

/Signed (electronically) by/

Marcia J. Simon
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-15 D21
Washington, DC 20555-0001
(301) 415-1261
Marcia.Simon@nrc.gov