



November 23, 2009

CD09-0319

Mr. William Borchardt
Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Letter of Intent – License Application for a Nuclear Fuel Recycling Facility

Dear Mr. Borchardt:

The purpose of this letter is to inform the Nuclear Regulatory Commission (NRC) of a change in EnergySolutions, LLC, plan to submit an application to license the construction and operation of a used nuclear fuel recycling facility. On May 13, 2008, we notified the NRC that we expected to submit an application in the year 2014 based on our plan to have a facility operational by 2022. Since that time, several events have led us to revise our plans.

Since the time of our letter, support from the U.S. government for the concept of recycling has diminished. Among the more significant changes is the cancellation by the U.S. Department of Energy of the program to develop commercial facilities in the United States for the Global Nuclear Energy Partnership. The end result of this and other changes has been to undermine the ability of a private entity to pursue recycling. EnergySolutions is therefore reconsidering our plans, but we already have determined that the schedule we originally proposed is no longer realistic. Furthermore, we are not able at this time to project a specific time by which we intend to submit an application.

We continue to believe that the NRC should pursue the creation of a new licensing basis for a recycling facility as it is a necessary step in closing the fuel cycle. Progress in this effort will affect our planning. We support the approach currently under development by the industry task force led by the Nuclear Energy Institute of which we have been a part. The creation of a Part 7X in NRC regulations will provide a solid basis for licensing a recycling facility. We intend to continue to participate in this effort.

Please contact Thomas Magette at (301) 957-3770 should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Creamer", followed by a long horizontal line.

Steve Creamer
Chief Executive Officer

cc: Eric Leeds, Director, Office of Nuclear Reactor Regulation
Michael Weber, Director, Office of Nuclear Materials Safety and Safeguards