

July 17, 2009

MEMORANDUM TO: Andrea Kock, Branch Chief  
Environmental Review Branch  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

FROM: Gloria Kulesa, Senior Environmental Project Manager **/RA/**  
Environmental Review Branch  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

Mathews George, Project Manager **/RA G. Kulesa for/**  
Environmental Review Branch  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

SUBJECT: PUBLIC MEETING SUMMARY REPORT FOR THE AREVA EAGLE  
ROCK ENRICHMENT FACILITY MEETING – JUNE 4, 2009

On June 4, 2009, U.S. Nuclear Regulatory Commission staff conducted a public meeting in Idaho Falls, Idaho, to discuss the scope of the Environmental Impact Statement for the proposed AREVA Eagle Rock Enrichment Facility. I am enclosing a summary of the meeting for your use. This summary does not contain any proprietary or classified information.

CONTACT: Gloria Kulesa, FSME/DWMEP  
301-415-5308

Docket No.: 70-7015

Enclosure:  
AREVA Eagle Rock Enrichment  
Facility Scoping Meeting Summary

cc w/enclosure:  
See next page

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**DISTRIBUTION:** See next page

**ML091970502**

<b>OFC</b>	DWMEP	NMSS	OGC	DWMEP
<b>NAME</b>	GKulesa	BReilly via email	CSafford via email	AKock
<b>DATE</b>	07/16/09	07/16/09	07/16/09	07/17/09

**OFFICIAL RECORD COPY**

**DISTRIBUTION FOR JUNE 4, 2009 MEETING NOTICE**

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LSilvious/NSIR  
RVirgilio/OSTP  
TGody/RII  
MSheik/RII  
RHannah/RII  
JLedford/RII  
RidsNMSSod

Service List

Stan Day  
AES Eagle Rock Enrichment Facility  
400 Donald Lynch Blvd.  
Marlborough, MA 01752

George A. Harper, P.E.  
AES Eagle Rock Enrichment Facility  
400 Donald Lynch Blvd.  
Marlborough, MA 01752

Mark Dietrich  
1410 N. Hilton  
Boise ID 83706

**SUMMARY OF U.S. NUCLEAR REGULATORY COMMISSION SCOPING MEETING:  
AN ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED AREVA EAGLE ROCK  
ENRICHMENT FACILITY**

Date: June 4, 2009

Location: Shilo Inn Suites, Idaho Falls, Idaho 83402

Registered Attendees: Congressional staff; State, regional, and local officials; advocacy and stakeholder groups; members of the public (Attachment 1).

Purpose:

The U.S. Nuclear Regulatory Commission (NRC) listened to public comments on the scope of NRC's environmental review of a proposed uranium enrichment facility to be located in Bonneville County, Idaho.

Discussion:

NRC announced through the *Federal Register* a Notice of Intent and Opportunity to Provide Written Comments on the AREVA Eagle Rock Enrichment Facility (ML090850377). In addition, NRC issued a Public Meeting Notice on its website (ML091340213) which included the agenda.

Prior to the public meeting, NRC staff hosted an hour long open house. During the open house, NRC staff answered general questions related to the purpose of the public meeting and NRC's licensing and environmental review processes.

After the open house, NRC staff convened the transcribed portion of the public meeting. Mr. Francis Cameron opened the session, welcoming the attendees. He described the meeting logistics, the process for obtaining public comments, and introduced the NRC staff.

Following introductions of the NRC staff, Ms. Patrice Bubar discussed NRC's roles and responsibilities (Attachment 2). She stated that the NRC is an independent agency whose mission is to protect people and the environment by regulating the commercial use of nuclear materials.

Ms. Bubar described the purpose of the meeting. She indicated that the NRC will conduct an environmental review as required by the National Environmental Policy Act of 1969 (NEPA), as amended, and NRC's implementing regulations (Title 10, Code of Federal Regulations, Part 51). She explained that NRC was at the beginning of its environmental review and the purpose of the meeting was to gather public comments about the scope of NRC's environmental review. She emphasized that no decision had been made regarding AREVA's license request.

Ms. Breeda Reilly discussed NRC's safety review process for the proposed AREVA Eagle Rock Enrichment Facility.

Enclosure

Ms. Reilly explained that uranium is a naturally occurring material. It has two isotopes – U-235 and U-238. She stated that enrichment is needed to increase the isotopic concentration of U-235 from its naturally occurring concentration of about 0.7 percent to 3 to 5 percent for use as fuel in commercial nuclear reactors.

Ms. Reilly described the NRC licensing process. She explained that NRC conducts two parallel reviews in consideration of the license; a safety and an environmental review. She focused on the safety review since the next speaker would present details of the environmental review process. The safety review team evaluates the applicant's qualifications, operating programs (i.e. safety, fire/radiation protection, chemical, security, physical protection), and decommissioning plans. Their reviews address both normal operating and accident conditions. The result is published in a safety evaluation report. Ms. Reilly explained that the NRC's licensing and environmental reviews take approximately 18 months to complete. She noted that NRC accepted the revised application in April 2009.

Ms. Reilly stated that the public will have several opportunities to provide input to the licensing process, beginning with the public's comments received at the meeting. She said there will also be an opportunity to petition for a formal hearing. NRC will publish the hearing order in the *Federal Register* which will contain details on the process.

Ms. Reilly explained that other opportunities exist for public involvement. After NRC completes the draft Environmental Impact Statement, NRC will hold a meeting to discuss the preliminary environmental assessment and will seek the public's input and will solicit written comments. If NRC grants a license for the proposed facility, NRC will hold another public meeting to discuss the construction inspection program. The construction inspection program must successfully conclude before AREVA begins its operations.

In addition to the safety and environmental reviews, Ms. Reilly indicated that for uranium enrichment facilities, a mandatory hearing is required. The mandatory hearing is an independent review before a panel of Administrative Law Judges of the staff's safety evaluation and environmental reviews and it starts with the issuance of a hearing order which outlines the process for stakeholders to identify their issues. Ms. Reilly explained that to be admitted as a party to the hearing, an individual must demonstrate standing, that is, be able to demonstrate injury from the proposed activity, and have at least one admissible contention. A *Federal Register* Notice will be published offering members of the public an opportunity to petition for a contested hearing. The hearing process starts after the staff completes the Safety Evaluation Report and the final Environmental Impact Statement. It is important to note that the Commission does not reach a decision on the license until the hearing process is complete, which is approximately 30 months from the date the NRC accepted the application.

Ms. Reilly identified two websites in which the public could find information about the AREVA application. The application includes the environmental report and the safety analysis report.

Ms. Andrea Kock described the Environmental Impact Statement. In this document, NRC staff considers the environmental impacts of construction, operation, and decommissioning of AREVA's proposed facility. The public's input is a critical part of the environmental review.

Ms. Kock described NEPA. NEPA requires federal agencies to consider the environmental impacts of their decisions. She also referred the audience to NRC's regulations that implement NEPA (Title 10 Code of Federal Regulations, Part 51) and NRC's guidance to the staff on conducting environmental reviews (NUREG 1748). She presented an outline of the environmental review process, noted the opportunities in which NRC solicits public involvement, and described the means to submit comments on the environmental review.

Mr. Francis Cameron then concluded the overview part of the meeting and provided the audience with an opportunity to ask general questions of the NRC staff. Two local residents commented on International Atomic Energy Agency inspections and the application to this facility. Mr. Cameron then opened the comment session.

Elected officials spoke first. NRC received statements or remarks from: Senators' Crapo and Risch; Congressman Simpson; State Senators, Representatives, and Legislators; and Mayors. Each of them strongly supported the application. The Bonneville County Zoning Administrator read a statement of support from the Bonneville County Commissioners.

Several stakeholders from the Snake River Alliance spoke of their concerns. In summarizing their comments, they recommended performing a full environmental analysis as prescribed by the National Environmental Policy Act and offered these categories for NRC's consideration: need; waste; proliferation; and public process. They concluded that the effects of this proposal go beyond Idaho Falls (i.e., recipient of tax benefits) and recommended that NRC reach out and hold public meetings on the draft environmental impact across Idaho.

A number of individuals expressed their support of this facility including the Mayor's Youth Advisory Council, a certified professional hydrologist, a teacher, a nuclear engineer, and business leaders/affiliations (Auto Building Trade and Construction Council, Diversified Metal Products, Eastern Idaho Regional Medical Center, Greater Idaho Falls Chamber of Commerce, Regional Development Alliance, International Brotherhood of Electrical Workers, Coalition 21). The Chamber of Commerce recommended that NRC review waste management, noise, air, water, land use, historic and cultural, health, and socioeconomic impacts. The Partnership for Science and Technology added their support. They noted that NRC should consider the following impacts: land use; transportation; geology and soils; water; ecology; air quality; historic and cultural; socioeconomic; public and occupational health; noise; and waste management. Grow Idaho Falls spoke on the economic benefits and legislation incentives.

NRC received a comment regarding nuclear waste disposal and the missed opportunity to collect dues because of the tax incentives. The commenter spoke of AREVA's past and global operations. The commenter discussed water concerns.

Another commenter spoke of terrorist attacks and recommended support to the local police and fire departments. A commenter discussed the risk of waste management and availability of public infrastructure support to this new project. There were remarks regarding public perception/public confidence associated with the nuclear industry. Commenters spoke of positive and negative traits (i.e. carbon emissions, waste management, proliferation, concerns associated with gaseous hexafluoride).

Another commenter asked NRC to focus on transportation, water, public health, noise and waste management. He offered his support of this project and offered to review and comment on the draft Environmental Impact Statement.

Ms. Bubar concluded the meeting. She emphasized that NRC is at the beginning of its environmental review process and indicated that NRC staff would evaluate everyone's comments.

Action Items:

None

NRC Staff Attendees:

Francis Cameron  
Patrice Bubar  
Breeda Reilly  
Tom Hiltz  
Andrea Kock  
Tarsha Moon  
Carrie Safford  
Roger Hannah

Attachments:

1. Attendee list
2. Presentation slides



## **AREVA Scoping Meeting Comments List of Attendees**

Roderic Thomas

Jack Ugaki

Brent Laird

Vernon Steel

Kendall Webster

Barbara Turner

David Jones

Dan Haley

Garrick Martin

Kevin Cutler

Linda Szimhardt

Paul Snyder

Mark Dietrich

Dan Yurman

David Morgan

Melissa Bean

Barbara Miller

Allison Bachel

Clay Coudlt

Richard Dean

Jim Letscher

Thomas Hally

Gary Vecellio

Darwin Mecham

Bill Landsman

Bill Mangan

Tim Rieth

Laura Ballard

Brant Clempke

John Lindsay

John Hoyrup

Ryan Fruth

Jack Barraclough

Amy Lientz

Andrea Shipley

Nathan McMasters

Marty Hubbher

Liz Woodruff

Amy Taylor

Beatrice Brailsford

Senator Mike Crapo

Rep. Jeff Thompson

Mayor Brad Andersen

Governor C. L. "Butch" Otter

Roger Christensen

Senator Mike Simpson

Alex Creek

Dean Mortimer

Ann Rydalch

Robert Skinner

Timothy Solomon

Hunter Gray

Lorin Walker

John Tanner

Dave Hensel

Akira Tokuhira

Cindy Smith-Putnam

Steven Serr

Steve Herring

John McGimpsey

Jerry Brady

Carol Jones

Susanne Miller

Ted Simmons

Bob Blyth

Brian Fretwell

William Lapsansky

Wendy Reynolds

Bob Skerbertz

Brad Hudson

Jessica Barrott

David Sanderlin

Lyle Freeman

Cindy Cottrell

Chris Jensen

Mark Holzmer

Bill Stewart

Kirk Burns

Robb Chiles

David Hill

Jeff Smith

Ericka Gianstto

Trevor Casper

Rep. Erik Simpson

Rep. Russ Mathews

Mayor Jared Fuhriman

Mike Webster

Rod Fuger

Linda Martin

Larry Pettingill

Andrew Stephenson

James Risch

Dr. Chester Motloch

Lane Allgood

Peter Haley

John Miller

Burton Waite

Pete Johansen

Karen Bradley

Keith Wilson

Steve Turner

Anthony Broncho

Julieann Holman

Preston Abbott

Victoria Banales

Bruce Turner

Evelyn Freeman

Sydney Jensen

Lexis Knuston

Celicia Howard

Whitney Wood

Janet Barrett

Donna Mecham

Raymond Furstenau

Ty Barrott

Lauren Gibson

Lisa Boucher

Bob Boucher

Tami Sherwood

David Barrington

Josh Peterson

# **Scoping Meeting**

## **Idaho Falls, Idaho**

**June 4, 2009**

# **The NRC: Who We Are And What We Do**

**Patrice Bubar  
Deputy Director**



# Nuclear Regulatory Commission

- Established via 1974 Energy Reorganization Act
- Independent agency
- Regulates commercial uses of nuclear material
- “Protect People and the Environment”
- 4 Commissioners and a Chairman
- Other duties of the former Atomic Energy Commission assigned to Department Of Energy

## More ...

- **3,400 staff: Maryland headquarters; regional offices in Pennsylvania, Georgia, Illinois, Texas**
- **NRC inspectors in 65 nuclear power plant sites and 3 fuel facilities**

## Our Mission

To license and regulate the nation's civilian use of byproduct, source and special nuclear materials to ensure adequate protection of public health and safety, promote the common defense and security, and protect the environment.

## The NRC Regulates:

- **Nuclear reactors** - commercial power, research and test; new designs
- **Nuclear materials** - reactor fuel; radioactive materials for medical, industrial, academic use
- **Nuclear waste** – transportation; storage and disposal; decommissioning of facilities
- **Nuclear security** – physical security of nuclear facilities and materials from sabotage or attacks

## What We Don't Do

- Build or promote nuclear facilities
- Own or operate nuclear power plants
- Regulate nuclear weapons, military reactors or space vehicle reactors
- Regulate natural radon and X-rays

## Open To The Public

- NRC places a high priority on keeping the public and stakeholders informed. At [www.nrc.gov](http://www.nrc.gov), you can:
  - Find meeting dates, transcripts
  - Read testimony, speeches, press releases, policy decisions
  - Access the Electronic Reading Room to find publications and documents.

# Communications

NRC initiates dialogue with stakeholders including:

- **Other Federal agencies**
- **State agencies**
- **Congress**
- **State and local officials**
- **International organizations**
- **Federally recognized Indian Tribes**
- **Nuclear industry groups**
- **Public interest groups**
- **You**

## Why are we here?

- As part of the licensing process, NRC conducts an environmental review
- Your input is vital
- We are at the beginning. No decisions have been made

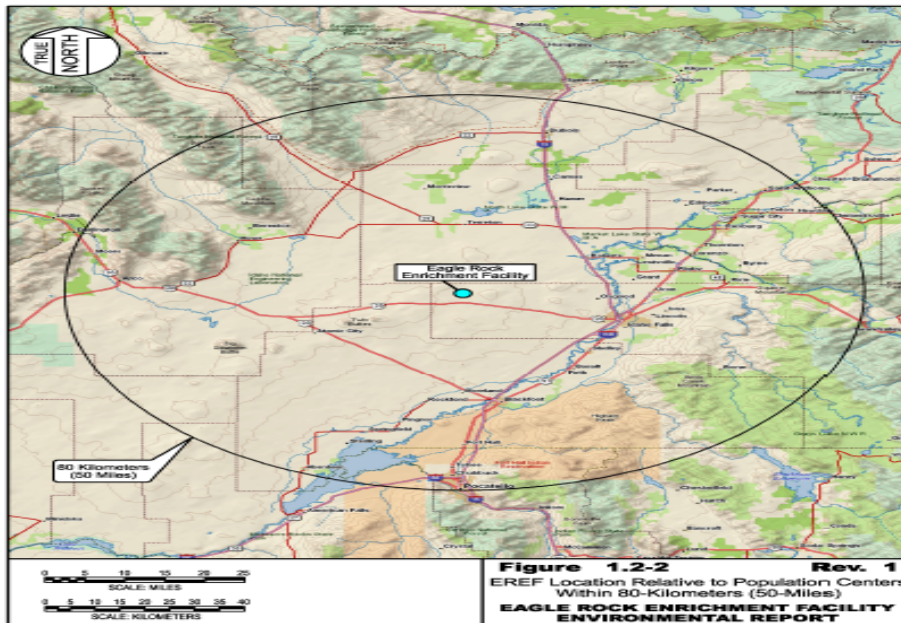


# Licensing Process

Breeda Reilly, NRC  
Licensing Project Manager

# Objectives

- **Provide brief summary of**
  - **Proposed AREVA NC Eagle Rock Enrichment Facility license application**
  - **NRC licensing process**



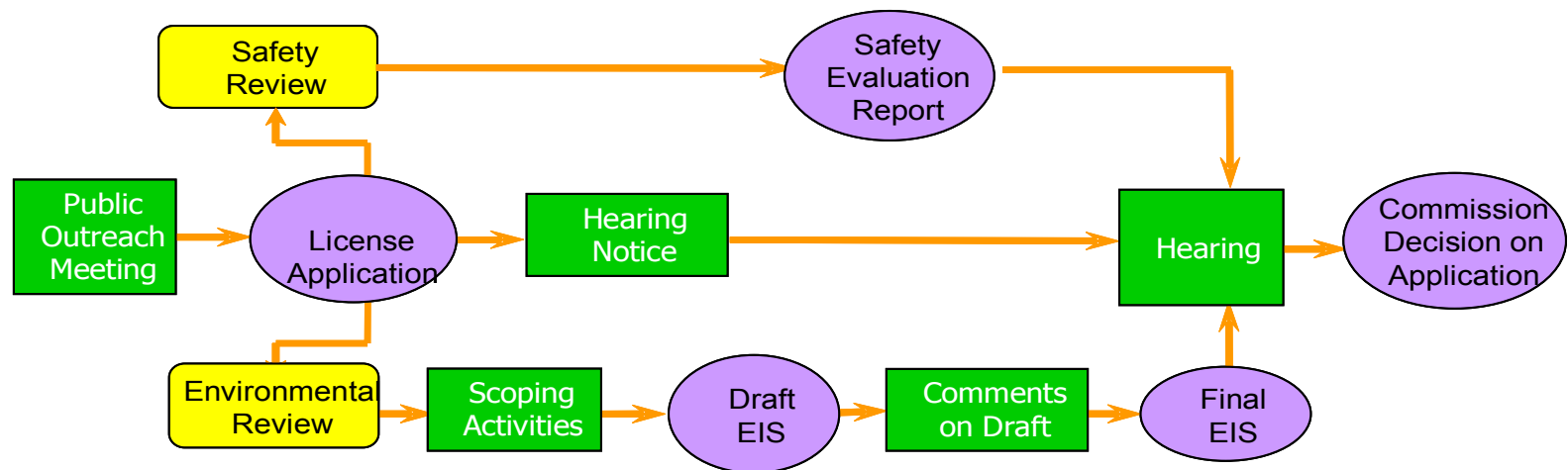
## License Application

- **Location: Bonneville County, ID**  
**(about 18 miles west of Idaho Falls)**
- **Name: Eagle Rock Enrichment Facility**
- **Technology: Centrifuge technology**
- **Product: Enriched uranium for fuel for nuclear power plants**

# License Application

- Application submitted: December 30, 2008
- Application revised to double the capacity of the facility: April 24, 2009
- NRC safety and environmental reviews underway.

# Licensing Process



## **Safety Review Scope**

- **Applicant's qualifications, safety programs, accident sequences, and decommissioning plans.**
- **Example review areas include:**
  - **Management organization and administrative policies**
  - **Integrated safety analysis**
  - **Radiation, nuclear criticality, chemical safety, and fire protection programs**
  - **Physical protection**
- **Reviews address both normal operating and accident conditions**

## **NRC Licensing Process**

- **NRC technical review is expected to take 18 months.**
  - **NRC will review application**
  - **Request additional information**
  - **Document safety review in a Safety Evaluation Report**
- **Hearing is required for uranium enrichment plants**



**Public will have several opportunities to provide input to the licensing process.**

- **Opportunity to petition for a hearing will be offered after application is submitted**
- **Environmental review process**
  - **Scoping meeting**
  - **Draft EIS**

## **NRC Licensing Process**

- **Staff will conduct a public meeting to discuss results of the Final EIS and Safety Evaluation Report.**
- **If license is issued, staff will conduct a public meeting to discuss its inspection program for facility construction.**

## NRC Web Sites:



- <http://www.nrc.gov/materials/fuel-cycle-fac/ur-enrichment.html>
- <http://www/nrc.gov/materials/fuel-cycle-fac/arevanc.html>

## **NRC Contacts:**



**Breeda Reilly, Licensing Project  
Manager; 301-492-3110;  
[Breeda.Reilly@nrc.gov](mailto:Breeda.Reilly@nrc.gov)**

**Gloria Kulesa, Environmental Project  
Manager; 301-415-5308;  
[Gloria.Kulesa@nrc.gov](mailto:Gloria.Kulesa@nrc.gov)**

# **Environmental Process**

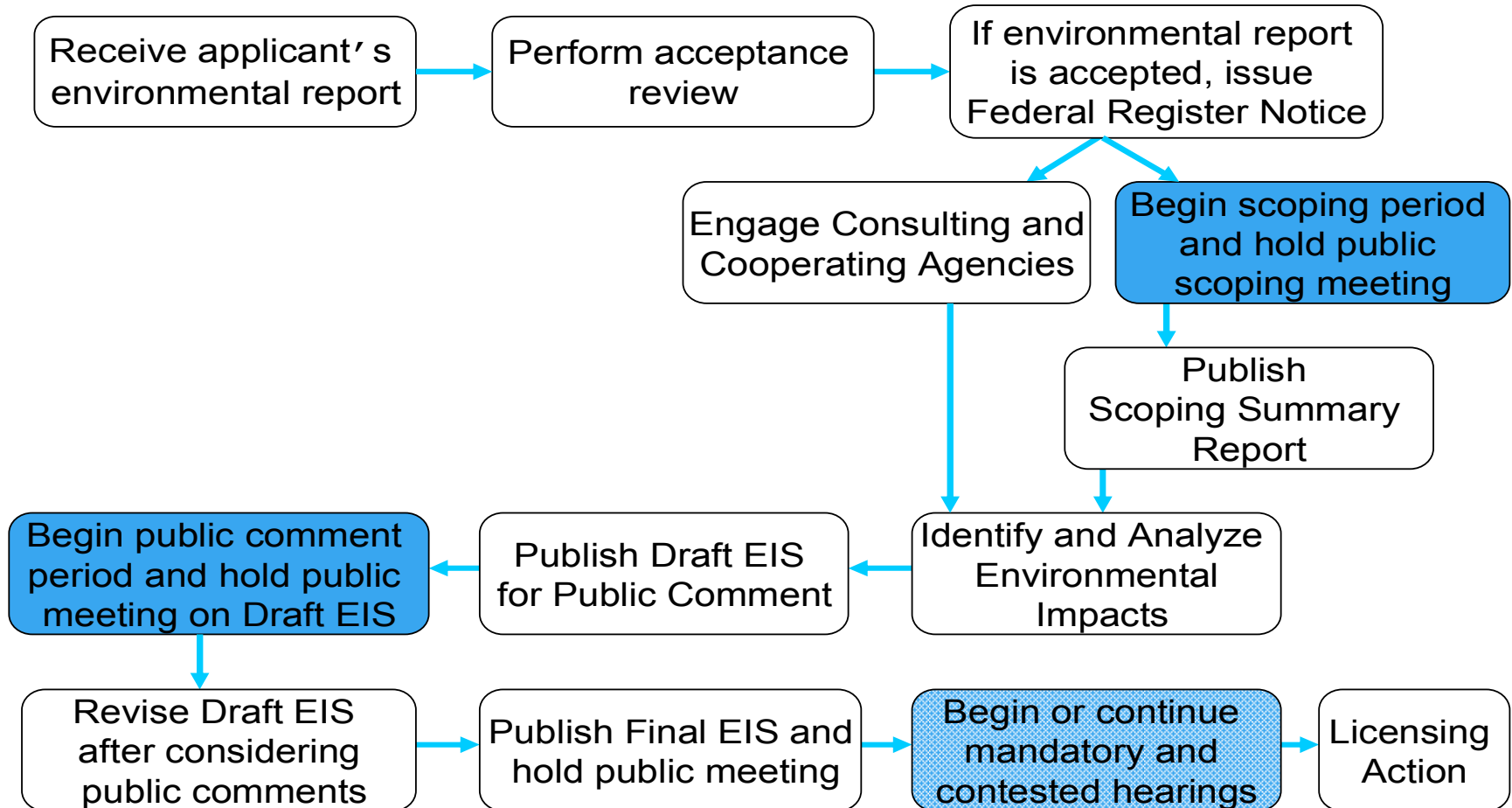
Gloria Kulesa, NRC  
Environmental Project Manager

# Law, Regulation, and Guidance Documents



- **National Environmental Policy Act of 1969**
- **Title 10, Code of Federal Regulations,  
Part 51**
- **NUREG 1748**

# ENVIRONMENTAL PROCESS



# ENVIRONMENTAL PROCESS

Receive applicant's environmental report

Perform acceptance review

If environmental report is accepted, issue Federal Register Notice

Engage Consulting and Cooperating Agencies

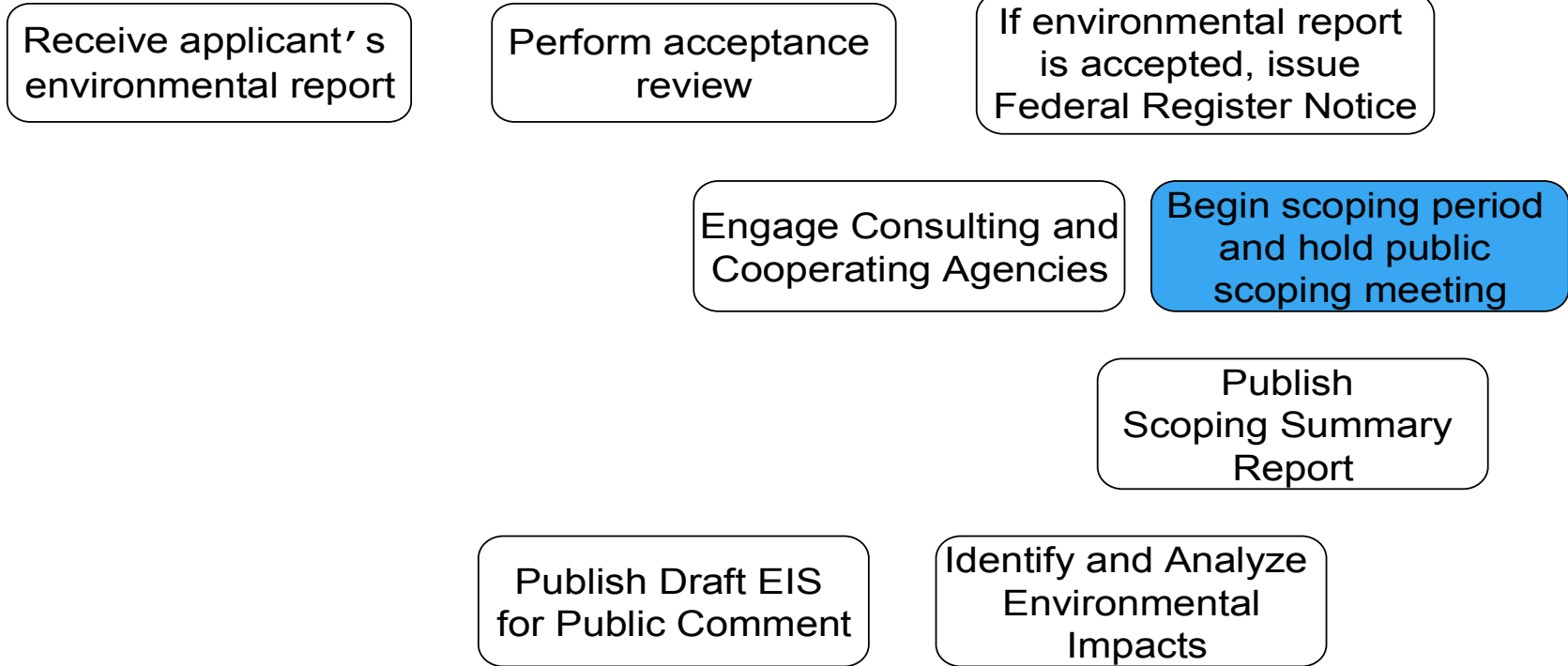
Begin scoping period and hold public scoping meeting



## **Scoping for an Enrichment Facility**

- **Requirement of NEPA, NRC**
- **Refine the environmental review**
  - **Receive and address your concerns**
  - **Identify significant, eliminate unimportant**
  - **Identify alternatives**
  - **Identify related documents**
  - **Identify other environmental review and consultation requirements**
- **Listen, receive written comments**

# ENVIRONMENTAL PROCESS



# What is an EIS?

- **An Environmental Impact Statement (EIS) describes potential environmental impacts of a proposed action and its alternatives**
- **Provides information for the public and agency decision makers**
- **An EIS addresses five main topics**
  - The proposed action, including its purpose and the need it meets
  - Alternatives, including no action
  - The affected environment
  - Environmental impacts
  - Mitigative measures

# MORE ...

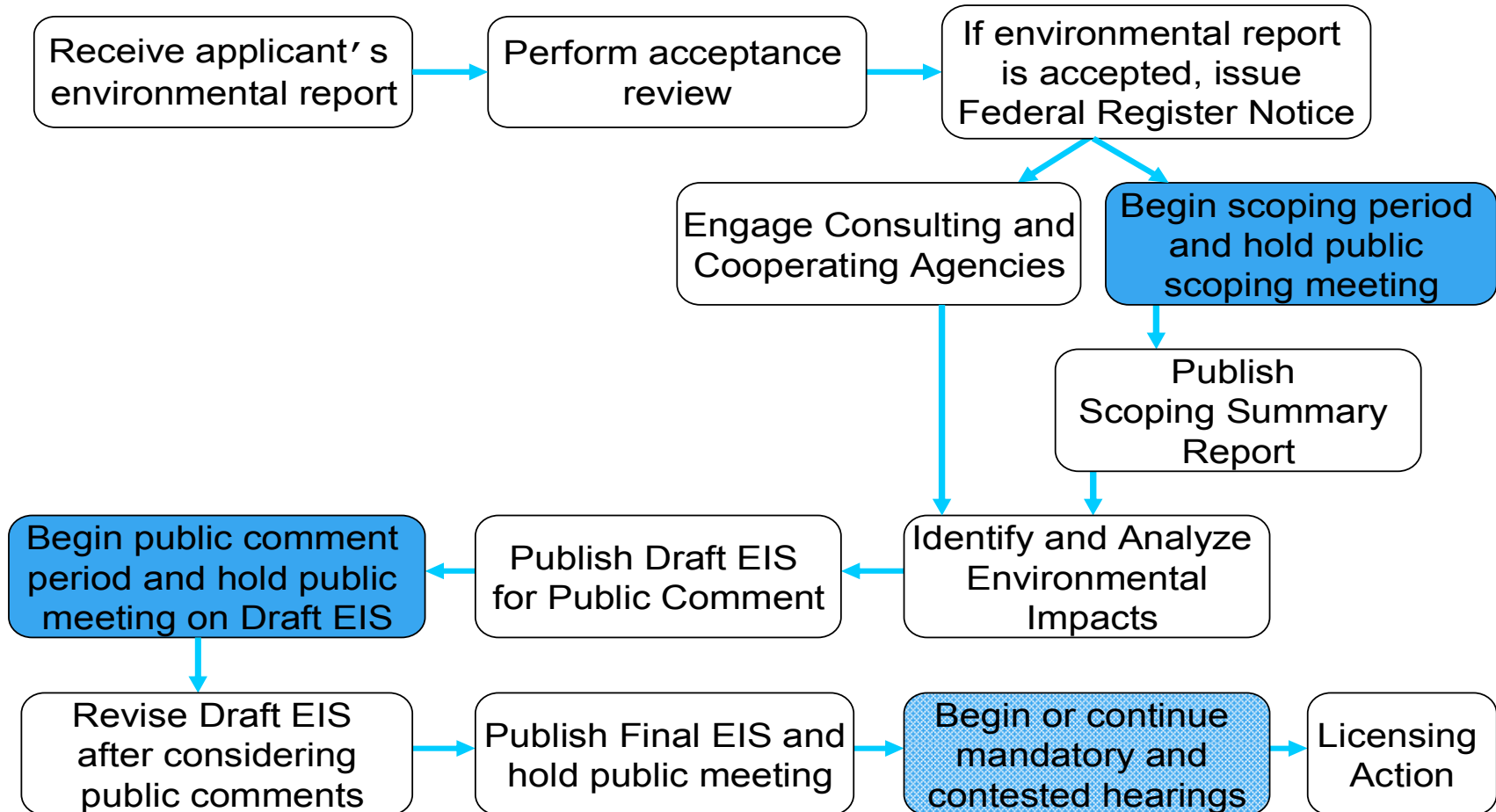


- **Describes effects: construction; operation; and decommissioning**
- **Example review areas include**
  - Air, water, soils, plants, and animals
  - Public and worker health
  - Historic, archaeological, or architectural property, and artifacts
  - Economic, cultural, and social services
  - Terrorism
  - Environmental justice
- **Address direct, indirect, short and long term, cumulative impacts**

## **Public Involvement in Environmental Process**

- **Scoping meeting**
- **Draft EIS**

# ENVIRONMENTAL PROCESS



# How do I make a comment?



- **Speak at this meeting**
- **Fill out a comment form**
- **Send an email to [EagleRock.EIS@nrc.gov](mailto:EagleRock.EIS@nrc.gov)**
- **Write to NRC (note Docket No.70-7015)**
  - Chief, Rules and Directives Branch**
  - Mail Stop TWB 5B01M**
  - U.S. Nuclear Regulatory Commission**
  - Washington, DC 20555–0001**



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**AREVA Eagle Rock Enrichment Facility**

<http://www.nrc.gov/materials/fuel-cycle-fac/arevanc.html>

(License Application contains links to the safety and environmental reports)

**ADAMS (Docket # 70-7015)**

<http://www.nrc.gov/reading-rm/adams/web-based.html>

**ML091210558**

**Scoping Comments**

[EagleRock.EIS@nrc.gov](mailto:EagleRock.EIS@nrc.gov)