

August 30, 2007

MEMORANDUM TO: Michael Tschiltz, Acting Deputy Director
Fuel Facility Licensing Directorate
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

THRU: Brian W. Smith, Chief /RA, by J. Olivier for/
Enrichment and Conversion Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

FROM: Timothy C. Johnson /RA/
Senior Project Manager
Enrichment and Conversion Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

SUBJECT: AUGUST 9, 2007, MEETING SUMMARY: GENERAL
ELECTRIC-HITACHI SILEX PRE-APPLICATION MEETING

On August 9, 2007, U.S. Nuclear Regulatory Commission staff met with staff from General Electric-Hitachi Nuclear Energy Americas (GEH) to discuss pre-application issues applicable to the proposed full-scale Silex uranium enrichment plant project. I am attaching the meeting summary for your use. This summary contains no proprietary or classified information.

Docket No.: 70-7016

Enclosure: GEH Meeting Summary

cc: Al Kennedy/GEH

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Hearing file	GESilex Website-YES		

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OFC	ECB		ECB		ECB	
NAME	TCJohnson		LWilliamson		BSmith /by, J. Olivier for/	
DATE	8/27/07		8/28/07		8/30/07	

OFFICIAL RECORD COPY

Summary of
General Electric Silex Meeting

Date: August 9, 2007

Place: U.S. Nuclear Regulatory Commission (NRC) offices
Rockville, MD

Attendees: P. Campbell/GEH
M. Baker/NRC
K. Everly/NRC
T.C. Johnson/NRC
A. Kennedy/GEH
L. Clark/NRC
P. Habighorst/NRC
B. Smith/NRC

Purpose:

The purpose of this meeting was to discuss pre-application project management issues applicable to the proposed full-scale General Electric-Hitachi Nuclear Energy Americas (GEH) Silex uranium enrichment plant project. The meeting agenda is in Attachment 1.

Discussion:

Following introductions, GEH staff discussed its plans to license a full-scale uranium enrichment facility using the Silex technology. Mr. Al Kennedy indicated that he would be the licensing manager for the full-scale Silex plant and Mr. Louis Quintana would be the backup licensing manager. Mr. Kennedy indicated that GEH would be forming a separate corporation for the plant. GEH also indicated that GEH will prepare the licensing application in a way that contractors will not have access to classified information. A site location for the facility has not yet been selected.

Mr. Kennedy stated that, in the application, it will provide a table showing the acceptance criteria from the "Standard Review Plan for the Review of a License Application for a Fuel Cycle Facility," NUREG-1520, and how those criteria were accommodated in the license application. This will be used to ensure consistency with NUREG-1520. NRC staff indicated that this would also assist them in addressing previous hearing board questions related to how the applicant used staff review plan guidance in its application.

Mr. Kennedy indicated that the December 2007 submittal date for the license application is still the GEH's official published date.

GEH and NRC staff agreed that communications on project matters would be through the licensing project managers to ensure that miscommunications between technical staff are minimized. T.C. Johnson will be the licensing project manager for the NRC.

Mr. Kennedy asked if an early submittal of the environmental report could be made and would an exemption be required. He also asked about limited work authorizations to begin some construction activities prior to receiving the construction and operation license. Mr. Kennedy also suggested that NRC staff perform an in-office review of the environmental report prior to its submittal to ensure that it would be generally complete. NRC staff indicated that it would provide responses to these questions after consultation with legal counsel.

Enclosure

NRC staff encouraged GEH staff to consider pre-application meetings in specific technical areas to provide early feedback on the suitability of technical approaches to be taken in the application.

Regarding site selection, GEH staff is using a hierarchical process. Initially, it started with 22 sites and is now in the last phase of the screening process.

NRC staff provided GEH with a summary listing of lessons learned from the Louisiana Energy Services (LES) and USEC Inc., license application reviews (see Attachment 2) and provided a short discussion on each item. The following lists some of the principal discussion points:

1. NRC staff stated that if GEH identifies unique issues, these issues should be discussed at an early time so that they can be timely resolved.
2. For decommissioning funding, if GEH decides to use the U.S. Department of Energy (DOE) disposition path for depleted uranium tails, it should begin discussions with DOE at an early time. Because of the potential sensitivity of decommissioning funding in possible hearings, GEH needs to provide a solid basis for its cost estimates and its tails disposition approach.
3. GEH should also discuss export control information requirements with DOE at an early time.
4. GEH will need to prepare a criticality validation report for the assays to be licensed. The validation of criticality parameters and calculation methods is an important step in assessing criticality issues.
5. GEH will also need to identify any Silex plant services provided under other existing licenses, if any.
6. GEH should make early contact with local and State officials as part of their site selection process. NRC staff will conduct a public meeting shortly after the site selection is made to discuss NRC's licensing process with the public. This meeting would occur prior to submittal of the license application.
7. In the NRC staff's process for requesting additional information during the review of the application, NRC staff plans to conduct telephone conference calls to discuss the planned Requests for Additional Information (RAIs) prior to formally transmitting the RAIs. This will provide an opportunity to ensure that RAIs are understood by GEH prior to the transmittal. NRC staff would also expect that GEH will conduct telephone conference calls with NRC staff prior to transmitting the responses to the NRC RAIs to ensure that GEH is providing complete responses to the NRC issues. These conference calls would be documented and placed in the Agency-wide Documents and Management System (ADAMS) if no classified or Safeguards information is discussed.
8. If GEH decides to have partners, it will need to provide corporate information on those entities so that appropriate Foreign Ownership, Control, and Influence (FOCI) determinations can be made.

9. NRC staff discussed differences in contested and mandatory hearings and differences in how the USEC Inc., and LES licensing boards conducted the mandatory hearings.
10. NRC staff stated it would provide the most current security guidance to GEH for use in preparing the application.

Action Items:

1. Obtain legal input on early filing of Environmental Report.
2. Obtain legal input on possible limited construction authorizations.
3. Obtain legal input on possible in-office review of the environmental report prior to its submittal.
4. Provide copies of the most recent security guidance.

Attachments:

1. Meeting agenda
2. NRC presentation handouts