

individuals in the vicinity of the site that the NRC is in receipt of a revision to the Phase 2 DP, and will accept comments concerning this proposed modification to the DP and its associated environmental impacts. Comments with respect to this action should be provided in writing within 30 days of this notice and addressed to John T. Buckley, Decommissioning Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-6607, fax number (301) 415-5398, e-mail: [jtb@nrc.gov](mailto:jtb@nrc.gov). Comments received after 30 days will be considered if practicable to do so, but only those comments received on or before the due date can be assured consideration.

### III. Opportunity To Request a Hearing

Although Kaiser is no longer a licensee subject to subpart L, "Informal Hearing Procedures for Adjudication in Material Licensing Proceedings," of NRC's rules and practice for domestic licensing proceedings in 10 CFR part 2. Discretion is being exercised in this case because of: (1) The unusually large volume of soil to be removed from the site; (2) the significant complexity of this project; and, (3) the close proximity of the site to a major population center. Whether or not a person has or intends to provide comments as set out in Section II above, pursuant to Section 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with Section 2.1205(d). A request for a hearing must be filed within thirty (30) days of the date of publication of this **Federal Register** notice.

The request for a hearing must be filed with the Office of the Secretary either:

1. By delivery to Secretary, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, between 7:45 a.m. and 4:15 p.m., Federal workdays; or
2. By mail, telegram, or facsimile (301-415-1101) addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Attention: Rulemakings and Adjudications Staff. Because of continuing disruptions in the delivery of mail to United States Government offices, it is requested that requests for hearing also be transmitted to the Secretary of the Commission either by means of facsimile transmission to 301-415-1101, or by e-mail to [<hearingdocket@nrc.gov>](mailto:<hearingdocket@nrc.gov>).

In accordance with 10 CFR 2.1205(f), each request for a hearing must also be served, by delivering it personally or by mail, to:

1. The applicant, Kaiser Aluminum and Chemical Corporation, 9141 Interline Avenue, Suite 1A, Baton Rouge, LA 70809-1957, Attention: Mr. J. W. Vinzant and;
2. The NRC staff, by delivery to the General Counsel, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, between 7:45 a.m. and 4:15 p.m., Federal workdays, or by mail, addressed to General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Because of continuing disruptions in the delivery of mail to United States Government offices, it is requested that requests for hearing be also transmitted to the Office of the General Counsel, either by means of facsimile transmission to (301) 415-3725, or by e-mail to [ogcmailcenter@nrc.gov](mailto:ogcmailcenter@nrc.gov).

In addition to meeting other applicable requirements of 10 CFR part 2 of NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

1. The interest of the requester in the proceeding;
2. How that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in Section 2.1205(h);
3. The requestor's area of concern about the licensing activity that is the subject matter of the proceeding; and
4. The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(d).

### IV. Further Information

The application for the license amendment and supporting documentation are available for inspection at NRC's Public Electronic reading Room at: <http://www.nrc.gov/reading-rm/adams.html>. The ADAMS Accession No. for the license amendment request is ML032820302.

Dated at Rockville, Maryland, this 3rd day of November, 2003.

For The Nuclear Regulatory Commission.

**Daniel M. Gillen,**

*Chief, Decommissioning Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 70-143]

### Nuclear Fuel Services, Inc., Environmental Assessment and Issuance of Finding of No Significant Impact Related to Proposed Financial Assurance Exemption for the Blended Low-Enriched Uranium Preparation Facility

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Finding of No Significant Impact and Environmental Assessment.

#### FOR FURTHER INFORMATION CONTACT:

Kevin Ramsey, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T8-A33, Washington DC 20555-0001, telephone (301) 415-7887 and e-mail [kmr@nrc.gov](mailto:kmr@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of an amendment to NRC Materials License SNM-124 to exempt Nuclear Fuel Services (NFS) from the financial assurance requirements in 10 CFR 70.25(f) for the proposed Blended Low-Enriched Uranium Preparation Facility (BPF) in Erwin, Tennessee, and has prepared an Environmental Assessment (EA) in support of this action. Based upon the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate, and, therefore, an Environmental Impact Statement (EIS) will not be prepared.

#### II. Environmental Assessment

##### Background

The NRC staff has received an exemption request (Ref. 1), dated October 27, 2003, to exempt NFS from the provision in 10 CFR 70.25(f)(4) limiting the use of a letter of intent to government licensees only. NFS is a non-government licensee and wishes to use a letter of intent from the U.S. Department of Energy (DOE) to guarantee part of the funds for decommissioning the BPF. NRC has received a letter from DOE (Ref. 2), dated October 20, 2003, stating its intent to reimburse the actual costs of decommissioning the BPF within the limits stated in the letter. The purpose of this document is to assess the environmental consequences of the proposed exemption.