APPENDIX C:

SCOPING SUMMARY REPORT FOR DEPLETED URANIUM HEXAFLUORIDE CONVERSION FACILITIES

ENVIRONMENTAL IMPACT STATEMENT SCOPING PROCESS

APPENDIX C

This appendix contains the summary report prepared after the initial public scoping period for the depleted uranium hexafluoride conversion facilities environmental impact statement (EIS) project. The scoping period for the EIS began with the September 18, 2001, publication of a Notice of Intent (NOI) in the *Federal Register* (66 FR 23213) and was extended to January 11, 2002. The report summarizes the different types of public involvement opportunities provided and the content of the comments received.

While the EIS preparation was underway, the U.S. Congress passed and the President signed Public Law No. 107-206, which directed the U.S. Department of Energy (DOE) to award a contract for conversion facilities to be built at the Paducah and Portsmouth sites. Accordingly, DOE awarded a contract to Uranium Disposition Services, LLC (UDS), on August 29, 2002. In light of Public Law 107-206, DOE reevaluated its approach for conducting the National Environmental Policy Act (NEPA) process and decided to prepare two separate site-specific EISs in parallel: one EIS for the plant proposed for the Paducah site and a second EIS for the Portsmouth site. This change was announced in a *Federal Register* Notice of Change in NEPA Compliance Approach published on April 28, 2003 (the Notice is included as Attachment B). One set of comments in response to the Change in NEPA Compliance Approach was received from the Oak Ridge Reservation Local Oversight Committee. These comments were similar to those received during public scoping and were considered in the preparation of this EIS.

SCOPING SUMMARY REPORT FOR DEPLETED URANIUM HEXAFLUORIDE CONVERSION FACILITIES

ENVIRONMENTAL IMPACT STATEMENT SCOPING PROCESS

Prepared by

Environmental Assessment Division
Argonne National Laboratory
Argonne, Illinois

for

Depleted Uranium Hexafluoride Conversion Project Team
Oak Ridge Operations (EM-961)
U.S. Department of Energy
Oak Ridge, Tennessee

June 17, 2002

CONTENTS

1 INTRODUCTION 1

1.1 Preliminary Alternatives Identified in the NOI 2

1.2 Preliminary Environmental and Other Issues Identified in the NOI 3

1.3 Scoping Process 4

2 SUMMARY OF SCOPING COMMENTS 7

2.1 Policy Comments and Issues 7

2.2 Alternatives 9

2.3 Cylinder Inventory Comments and Issues 11

2.4 Transportation Issues 12

2.5 Scope of Environmental Impact Analysis 13

Attachment A: Notice of Intent to Prepare an Environmental Impact Statement for Depleted Uranium Hexafluoride Conversion Facilities 17

SCOPING SUMMARY REPORT

Depleted Uranium Hexafluoride Conversion Facilities Project

1 INTRODUCTION

On September 18, 2001, the U.S. Department of Energy (DOE) published a notice of intent (NOI) in the *Federal Register* (66 FR 23213) announcing its intention to prepare an environmental impact statement (EIS) for a proposal to construct, operate, maintain, and decontaminate and decommission two depleted uranium hexafluoride (DUF_6) conversion facilities, one at Portsmouth, Ohio, and one at Paducah, Kentucky. DOE would use the proposed facilities to convert its inventory of DUF_6 to a more stable chemical form suitable for storage, beneficial use, or disposal. Approximately 730,000 metric tons of DUF_6 in about 60,000 cylinders are stored at Portsmouth and Paducah, and at an Oak Ridge, Tennessee, site.[1] The EIS would address potential environmental impacts of the construction, operation, maintenance, and decontamination and decommissioning (D&D) of the conversion facilities. A copy of the NOI is included in Attachment A.

The purpose of the NOI was to encourage early public involvement in the EIS process and to solicit public comments on the proposed scope of the EIS, including the issues and alternatives it would analyze. To facilitate public comments, the NOI included a detailed discussion of the project's background, listings of the preliminary alternatives and environmental impacts DOE proposed to evaluate in the EIS, and a project schedule. The NOI announced that the scoping period for the EIS would be open until November 26, 2001. The scoping period was later extended to January 11, 2002, for reasons discussed in Section 1.3.

This report presents a summary of the scoping process for the DUF_6 conversion facilities project. The first section of the report includes a short summary of the preliminary alternatives and environmental issues described in the NOI and a discussion of how the scoping process was conducted. The second section summarizes the comments submitted to DOE for its consideration in preparing the EIS; the comments are categorized and summarized to capture their substance.

---

[1] At the time the NOI was issued and the scoping meetings were held, DOE's inventory of DUF_6 consisted of approximately 700,000 metric tons of the material in about 57,700 cylinders. The inventory increased with the signing of an agreement between DOE and the United States Enrichment Corporation (USEC) on June 17, 2002, which could result in the transfer of up to 23,300 metric tons of DUF_6 from USEC to DOE.

1.1 PRELIMINARY ALTERNATIVES IDENTIFIED IN THE NOI

The preliminary alternatives were identified in the NOI; they are described here to provide the background information necessary to understand the substance of comments summarized in Section 2.

Preferred Alternative

Under the preferred alternative, two conversion facilities would be built: one at the Paducah Gaseous Diffusion Plant (GDP) site in Kentucky and another at the Portsmouth GDP site in Ohio. The cylinders currently stored at the East Tennessee Technology Park (ETTP) site near Oak Ridge, Tennessee, would be transported to Portsmouth for conversion. The conversion products (i.e., depleted uranium as well as fluorine components produced during the conversion process) would be stored, put to beneficial uses, or disposed of at an appropriate disposal facility. This alternative is consistent with the Conversion Plan, which DOE submitted to Congress in July 1999 in response to Public Law 105–204. Several subalternatives would be considered for the preferred alternative:

- Conversion technology processes identified in response to the final Request for Proposals (RFP) for conversion services, plus any other technologies that DOE believes must be considered;

- Local siting alternatives for building and operating conversion facilities within the Paducah and Portsmouth plant boundaries; and

- Timing options, such as staggering the start of the construction and operation of the two conversion facilities.

One Conversion Plant Alternative

An alternative of building and operating only one conversion facility at either the Portsmouth or the Paducah site was proposed in the NOI. This plant could differ in size or production capacity from the two proposed for Portsmouth and Paducah. Technology and local siting subalternatives would be considered as with the preferred alternative.

Use of Existing UF_6 Conversion Capacity Alternative

DOE proposed the possibility of using existing UF_6 conversion capacity at commercial nuclear fuel fabrication facilities in lieu of constructing one or two new conversion plants. DOE is evaluating the feasibility of using existing conversion capacity, although no expression of interest has been received from such facilities.

No Action Alternative

As required by the National Environmental Policy Act (NEPA), the EIS would include a "no action" alternative. Under the no action alternative, cylinder management activities (e.g., handling, inspection, monitoring, and maintenance) would continue the "status quo" at the three current storage sites indefinitely, consistent with the DUF_6 Cylinder Project Management Plan and the consent orders, which include actions needed to meet safety and environmental requirements.

Where applicable under the alternatives listed above, transportation options, such as truck, rail, and barge, would be considered for shipping DUF_6 cylinders to a conversion facility and conversion products to a storage or disposal facility. For each technology alternative, alternatives for conversion products, including storage, use, and disposal at one or more disposal sites, would also be considered.

1.2 PRELIMINARY ENVIRONMENTAL AND OTHER ISSUES IDENTIFIED IN THE NOI

In the NOI, DOE announced its intent to address the following preliminary environmental issues when assessing the potential environmental impacts of the alternatives in the EIS:

- Potential impacts on health from DUF_6 conversion activities, including those to workers and the public from exposure to radiation and chemicals during routine and accident conditions for the construction, operation, maintenance, and D&D of DUF_6 conversion facilities;

- Potential impacts to workers and the public from exposure to radiation and chemicals during routine and accident conditions for the transport of DUF_6 cylinders from ETTP to one of the conversion sites;

- Potential impacts to workers and the public from exposure to radiation and chemicals during routine and accident conditions for the transport of conversion products that are not beneficially used to a low-level waste disposal facility;

- Potential impacts to surface water, groundwater, and soil during construction activities and from emissions and water use during facility operations;

- Potential impacts on air quality from emissions and noise during facility construction and operations;

- Potential cumulative impacts of the past, present, and reasonably foreseeable future actions, including impacts from activities of the United States Enrichment Corporation (USEC);

- Potential impacts from facility construction on historically significant properties, if present, and on access to traditional use areas;

- Potential impacts from land requirements, potential incompatibilities, and disturbances;

- Potential impacts on local, regional, or national resources from materials and utilities required for construction and operation;

- Potential impacts on ecological resources, including threatened and endangered species, floodplains, and wetlands;

- Potential impacts on local and DOE-wide waste management capabilities;

- Potential impacts on local employment, income, population, housing, and public services from facility construction and operations, and environmental justice issues; and

- Pollution prevention, waste minimization, and energy and water use reduction technologies to decrease the use of energy, water, and hazardous substances and to mitigate environmental impacts.

1.3 SCOPING PROCESS

During the scoping process, the public was provided with six options for submitting comments to DOE on the DUF_6 conversion project proposal:

- Public scoping meetings held in Piketon, Ohio; Paducah, Kentucky; and Oak Ridge, Tennessee;

- Traditional mail delivery;

- Toll-free facsimile transmission;

- Toll-free voice message;

- Electronic mail; and

- Directly through the Depleted UF_6 Management Information Network web site on the Internet (http://web.ead.anl.gov/uranium).

The reason for providing such a variety of ways to communicate issues and submit comments was to encourage maximum participation. All comments, regardless of how they were submitted, received equal consideration.

The scoping period commenced with the publication of the NOI on September 18, 2001, and was originally scheduled to close November 26, 2001. Following publication of the NOI, the scoping period was extended 46 days through January 11, 2002, for the reasons discussed below.

As announced in the NOI, the three public scoping meetings were originally scheduled for the first week of November 2001. However, the meetings were postponed to allow review of DOE's approach for complying with NEPA for the DUF_6 conversion project. The review was not completed in time to hold the scoping meetings as originally scheduled. Consequently, the meetings were postponed, and the scoping period was extended from November 26, 2001, to January 11, 2002. The public was notified of the postponement through a press release, ads in local newspapers, an announcement posted on the Depleted UF_6 Management Information Network web site (http://web.ead.anl.gov/uranium), and by e-mail for those on the DUF_6 program distribution mailing list.

The three public scoping meetings were rescheduled and held in Piketon on November 28, in Oak Ridge on December 4, and in Paducah on December 6, 2001. Announcements of the rescheduled meetings were made on the web site, through a press release, by mailing a postcard directly to individuals on the program mailing list, by e-mail to individuals on the mailing list, and through public service radio advertisements. In addition, advertisements appeared in the local newspapers listed in Table 1.

Each public scoping meeting was presided over by an independent facilitator responsible for conducting the meetings. Background materials, including four fact sheets, the NOI, a video describing characteristics of DUF_6, and a laptop-based demonstration of the web site, were made available at the meetings (all materials distributed at the scoping meetings are available on the Web site at http://web.ead.anl.gov/uranium/eis/eisscoping/).

TABLE 1 Newspapers in Which Rescheduled Scoping Meetings Were Advertised

Meeting	Newspaper	Ad Run Dates
Piketon **Wednesday, November 28**	*Pike County News*	Sunday, Nov. 25 Wednesday, Nov. 28
	Portsmouth Daily Times	Sunday, Nov. 25 Tuesday, Nov. 27
	Chillicothe Gazette	Sunday, Nov. 25 Tuesday, Nov. 27
Oak Ridge **Tuesday, December 4**	*The Oak Ridger*	Friday, Nov. 30 Monday, Dec. 3
	Roane County News	Friday, Nov. 30 Monday, Dec. 3
	Knoxville News-Sentinel	Sunday, Dec. 2 Monday, Dec. 3
Paducah **Thursday, December 6**	*Paducah Sun*	Sunday, Dec. 2 Wednesday, Dec. 5

Each public scoping meeting consisted of an introduction by the facilitator and a 20-minute overview by the DOE DUF_6 Management Program manager, which described DOE's approach to meeting its obligations under NEPA. The presentation was followed by (1) a question and answer session in which the DOE manager responded to questions from the attendees and (2) a comment period where attendees were invited to formally make comments on the record. A court reporter recorded an official transcript of each meeting in its entirety. Transcripts, as well as the presentation slides, can be viewed on the web site at the address given above.

A total of approximately 100 individuals attended the three scoping meetings, and 20 individuals provided oral comments. Persons attending included representatives of federal officials, state regulators, local officials, site oversight committee members, representatives of interested companies, local media, and private individuals. In addition, about 20 individuals and organizations commented through the other means available (i.e., fax, telephone, mail, e-mail, and the web site). Some of the comments received through these means were duplicates of some of the comments made at the scoping meetings. During the scoping period (September 18–January 11), the Depleted UF_6 Management Information Network web site received significant use. A total of 64,366 pages viewed (an average of 554 per day) during 9,983 user sessions (an average of 85 per day) by 4,784 unique visitors.

2 SUMMARY OF SCOPING COMMENTS

Approximately 140 comments were received from about 30 individuals and organizations during the scoping period. The comments were evaluated and grouped into several general categories for this summary. The following sections summarize the substance of the comments received. The wording is intended to capture the substance of the comments, rather than reproduce the exact wording of individual comments. The order in which the issues are presented is not intended to reflect their relative importance. Because of the wide range of interests and opinions about the proposed DUF_6 conversion project, many of the comments in each category illustrate the varied, and perhaps contradictory, issues, concerns, and desired future conditions expressed by individuals, organizations, and public agencies.

2.1 POLICY COMMENTS AND ISSUES

2.1.1 Support for Project

Several commentors expressed general support for DOE's DUF_6 conversion project. Several noted that the project was the culmination of a long process involving DOE and state regulatory agencies, and many stated that the project should be done as quickly as possible. Several commentors noted that the removal of cylinders from ETTP is vital for site reindustrialization efforts.

2.1.2 Importance of Safety

Many commentors stressed that the project should be conducted in a safe and environmentally sound manner. One commentor expressed the opinion that too many past DOE decisions regarding the cylinders have been driven by cost and budget considerations, such as the use of thin-walled cylinders and stacking the cylinders two high, and that these decisions have caused enormous problems.

2.1.3 Impacts of Past Site Operations

Several commentors expressed concern and fear as residents living near the existing diffusion plant sites, citing health problems from past site operations. One individual stated that he feels hostage to the Paducah plant and that residents near the plant do not feel safe and secure. The commentor believed that an alternative should be provided so they do not have to live close to the plant. Another commentor stated that it should be recognized that health problems and contamination are present around the Paducah site.

2.1.4 Need for an EIS

One commentor stressed that the conversion project requires a detailed, site-specific study typical of an EIS, and not an environmental assessment.

2.1.5 NEPA Process

One commentor stated the belief that the NEPA process was being prejudiced by the contracting chronology, specifically stating that the contract award should be made only after the EIS is completed. Another commentor felt that DOE had already made decisions, and that input from the public should have been requested earlier in the process.

2.1.6 Use

One organization expressed its opposition to the use of depleted uranium in weaponry. Several commentors recommended banning the use of depleted uranium in commercial facilities, consumer products, and building and industrial production. In addition, they stated that all mining and processing of uranium should be stopped. The Kentucky Radiation Health and Toxic Agents Branch stated that release of any material from a conversion facility to the public domain must be evaluated by them and the public sector. One commentor noted that depleted uranium is a very important national energy resource and can be used in breeder reactors to provide 200 to 300 years of electrical energy, stressing that the United States needs to think of its energy policy not in the short term, but in terms of hundreds of years. The State of Tennessee Department of Environment and Conservation noted that consideration should be given to the possibility that conversion products should not be free-released because of radiological contamination.

2.1.7 USEC

One individual requested that DOE address the contracts entered into with USEC, whereby DOE continues to take possession of USEC-owned cylinders. The commentor claimed that DOE is using taxpayer dollars to subsidize USEC and that the money paid to DOE by USEC is pathetically low.

2.1.8 Portsmouth Cleanup

One commentor stated that DOE should clean up the Portsmouth site, put the plant in cold storage, restore the quality of air and water, end pollution at the source, and perform D&D of the site before building another facility.

2.1.9 Interaction with State Agencies

The Kentucky Radiation Health and Toxic Agents Branch stated that DOE has not interacted with the responsible radiation agency in Kentucky to provide sufficient information for assessment of the impacts of construction of a conversion facility on public health. In addition, they requested that DOE provide the Radiation Health and Toxic Agents Branch access to the facility to ensure protection of worker and public health. They also stated that handling and disposing of radioactive material and scrap metal must be properly addressed by DOE and evaluated by the Radiation Health and Toxic Agents Branch.

2.1.10 Self-Regulation

The Kentucky Radiation Health and Toxic Agents Branch stated that it is opposed to self-regulation of the facility by the DOE.

2.1.11 DUF_6 as Hazardous Waste

Representatives of the Kentucky Division of Waste Management stated that they believe DUF_6 is a hazardous waste because of its corrosivity and reactivity.

2.2 ALTERNATIVES

2.2.1 Support for DOE's Preferred Alternative

Several individuals and organizations expressed support for DOE's preferred alternative of building two conversion plants, one at Portsmouth and one at Paducah. Supportive organizations included the Ohio Environmental Protection Agency (OEPA), the Kentucky Division of Waste Management, McCracken County administrators, Paducah area business associations, labor representatives, and local Oak Ridge stakeholder groups. The OEPA expressed support for the shipment of cylinders from ETTP to the Portsmouth site, but only after construction of the conversion facility.

2.2.2 Opposition to Proposed Alternatives

One commentor opposed the consideration of a one conversion plant alternative in the EIS. The commentor stated that such an option is not consistent with the intent of Public Law 105-204 and is not a reasonable alternative because no funds have been provided for this option. Another commentor stated that it is a mistake to consider the use of existing U.S. conversion facilities because of transportation issues and potential local opposition.

2.2.3 Recommended Conversion Technologies

Commentors recommended two conversion technology options: (1) building a conversion plant in parallel with a new centrifuge enrichment plant, which would allow the depleted uranium to be used for reenrichment prior to conversion, and (2) not building a conversion plant but directly disposing of the DUF_6 in a vitreous melt within a disposal area (this recommendation was accompanied by a technical proposal). One commentor recommended a specific laser technology to monitor for and alarm against dangerous levels of hydrogen fluoride (HF).

2.2.4 Preferred Chemical Form of Uranium for Disposal

Several commentors expressed the opinion that U_3O_8 is the preferable and prudent chemical form of uranium for disposal based on stability and solubility. They noted that U_3O_8 is the most stable form of uranium and is found in nature. Also, foreign countries store this form of depleted uranium. Several commentors stated that disposal of DUF_4 will pose disposal problems and consideration of UF_4 is a mistake, identifying generation of HF, expansion of disposal containers, and U.S. Nuclear Regulatory Commission concerns as some potential problems. One commentor expressed opposition to converting to depleted uranium metal and provided qualified support for converting to UO_2.

2.2.5 Use of Hydrogen Fluoride

Several commentors stated that there is no credible market for aqueous HF and that anhydrous HF is clearly a better choice in terms of marketable fluoride products. It was stated that aqueous HF is a low value product that would be sold into a saturated market. These commentors strongly recommended the production of anhydrous HF and its subsequent use within the nuclear fuel cycle to avoid problems with the stigma from potential uranium contamination. One commentor noted that anhydrous HF production technology was previously demonstrated at a DOE pilot facility in 1998. One commentor stated that the specifications for allowable uranium in the HF produced must be made clear because HF will always contain some uranium. The commentor noted that the final use of the HF will affect the allowable uranium content and will need to be considered (the commentor stressed the possible accumulation of uranium if HF evaporation processes are used).

2.2.6 Disposition Options

One commentor stated that DUF_6 should be disposed of immediately as high-level waste due to the variety of unknown contaminants and decay products, and further, it should be disposed of in deep, dry areas. The commentor also noted that DOE should address disposal of all forms of converted depleted uranium. Another commentor stated a preference for a disposal process that binds the radionuclides, rendering them benign and immobile before final

disposition. One commentor stated that the depleted uranium should be assigned to safe storage facilities with constant monitoring.

2.3 CYLINDER INVENTORY COMMENTS AND ISSUES

2.3.1 ETTP Cylinder Inventory

A number of commentors stated that DOE needs to specifically state the number of UF_6 cylinders stored at the ETTP site, including test and in-line process cylinders that are not the typical 10- and 14-ton cylinders, and rectify inconsistencies between the number of full cylinders reported by DOE Headquarters personnel compared with that of Oak Ridge operations personnel. They claimed that DOE has continued to provide an inaccurate count of the cylinders at the ETTP site. In addition, several commentors stated that all cylinders should be removed from ETTP and that it would make sense to move them all to Portsmouth because handling would be similar. They recommended that the EIS consider removing all the ETTP cylinders.

2.3.2 Cylinder Condition, Surveillance, and Maintenance

Several commentors expressed their concern over the deteriorated condition of cylinders and continued inadequacies of current inspection programs and procedures. They claimed that DOE does not assure the public the cylinders currently stored will not breach due to external corrosion and that there is a high likelihood of future breaches. One commentor stated that a response team is needed at each site to manage potential breaches. One commentor stated that thousands of cylinders no longer have identification tags, which are necessary to determine the amount of DUF_6 in the cylinder, and that DOE must address that issue.

2.3.3 Transuranic Contamination

A number of commentors noted the presence of transuranic (TRU) contaminants in the DUF_6 cylinder inventory. It was stated that the EIS should specifically address the plutonium or TRU present in the stockpile and that DOE should make it a priority to assess the types and amounts of TRU contaminants in the inventory. One commentor stated that the affected environment section of the EIS should describe the contents of cylinders, including possible TRU and decay product elements, specifically americium-241, cadmium-109, cerium-141, curium-42, curium-244, neptunium-239, promethium-149, technetium, thorium-234, uranium-234, uranium-236, xenon-131m, and xenon-133m.

2.3.4 Disposition of Emptied Cylinders

Several commentors requested that DOE consider the possibility that the free release of emptied cylinders may not be an option because of residual contamination. One commentor expressed opposition to the idea of filling the emptied cylinders with conversion products or wastes for on-site storage or disposal.

2.4 TRANSPORTATION ISSUES

2.4.1 Importance of Transportation Safety

A number of commentors stressed the importance of transportation safety, noting that it will be challenging and expensive. One commentor suggested that traveling Hazmat teams should accompany each shipment. The Kentucky Radiation Health and Toxic Agents Branch expressed serious concerns regarding the transport of DUF_6 cylinders from Oak Ridge to Portsmouth, stating that without the proper risk assessments, evaluation of accident scenarios, and other DOE actions, they cannot support the movement of cylinders and are opposed to DOE obtaining any exemption from the U.S. Department of Transportation for the shipment of cylinders. One individual opposed shipping ETTP cylinders to Portsmouth and Paducah and sending conversion products to western sites, stating that the sites should deal with their own wastes.

2.4.2 Shipment Options

One organization stated that if DUF_6 is to be transported via truck, routes should be designated and appropriate risk analysis performed, taking into consideration road conditions. One commentor noted that rail transportation and the minimization of trans-loading can reduce project risks and improve safety. Two commentors stressed that the 11-mile ETTP rail right-of-way is in bad shape, and DOE should consider providing funding for and upgrading of the rail line. One organization stated that the EIS must include a comprehensive analysis of shipments by barge, including assessment of the condition of the barge terminal at ETTP, necessary upgrades, and the impact of possible dredging.

2.4.3 Schedule

With respect to the removal of ETTP cylinders, several commentors stated that the proposed time schedule should be adhered to or bettered. Commentors stated that the current time line is too long, and consideration should be given in the EIS to the removal of ETTP cylinders sooner than 2009.

2.5 SCOPE OF ENVIRONMENTAL IMPACT ANALYSIS

2.5.1 Human Health and Safety

One commenter stated that the EIS must consider the health and safety of construction and demolition workers if the Portsmouth GDP is demolished to build the conversion plant. The Kentucky Radiation Health and Toxic Agents Branch requested that DOE develop monitoring systems that ensure compliance with as low as reasonably achievable requirements. Another commentor requested that the assessment consider all site releases, not just separate sources. Several commentors requested that all actions and exposure pathways that are likely to affect the health and safety of the workers and the general public be considered. The activities mentioned included storage and movement of cylinders, washing of emptied cylinders, and conversion operations.

2.5.2 Air, Water, and Ecological Impacts

Several commentors stated that the EIS should consider off-site contamination of air, water, and soil, and effects from past practices, in particular, HF gas being transported off site. Similarly, water quality analyses should include effects on streams, the watershed, river basin, aquifers, and resident wildlife (in particular, deformed fish and mammals in the vicinity of the site). One commentor was concerned that different pollutants are bioaccumulating in the environment around the Paducah plant and that the long-term impacts are not well understood.

2.5.3 Cumulative Impacts

Commentors requested that the cumulative impact assessment consider the risk of handling old containers and the buildup of contaminants in infrastructures with repeated exposures and breaches; delayed effects of radiation exposures; long-term health monitoring; inventory of plants and wildlife to monitor migration of DNA defects up the food chain; additive effects of multiple contaminants in the environment; indirect and secondary effects; and other activities ongoing at the sites (including non-federal activities). One commentor noted that data already being used by the health care and insurance industries (i.e., mortality and morbidity rates in the communities and areas surrounding these sites) can more accurately predict exposures and resulting illnesses and should be collected and made available for public and independent analysis. According to the commentor, these data can prove a link between people’s illnesses and the DOE site. One commentor specifically requested that the effects of uranium-235 be included under the cumulative impacts.

2.5.4 Environmental Justice

One commentor stated that the EIS should consider the cost of retraining workers and noted that pollution-based jobs are offered in areas where workers are “depressed for work.” The commentor expressed environmental justice concerns.

2.5.5 Socioeconomics

One commentor requested that extensive socioeconomic analysis be included in the EIS, specifically the economic impact of the facility on the region, including conducting a health inventory of current and past workers and civilians within a 36-mile radius of the Portsmouth and Paducah sites to determine the costs to the community when workers become too ill to work or are laid off; the number of jobs from construction and operation of the conversion facility compared with the number of jobs that can be provided with the reclamation and restoration of the environment and final cleanup during shutdown, D&D, and cold storage; an analysis of the cost to handle, transport, and dispose of depleted uranium that is contaminated; the cost to build, maintain, and operate the conversion facility; and the long-term economic impacts on the community, for example, the loss of other industries because of decreases in land values, contaminated air and water, etc. One commentor requested that the social and psychological effects on the community and the effects on property values in the vicinity of the Paducah site be considered.

2.5.6 Accident Analysis

One commentor stated that the EIS must adequately address the risk from earthquakes at the Paducah site and from large plane crashes into the cylinder yards at all sites, noting that such risks had been inadequately addressed in previous evaluations, including the programmatic environmental impact statement (PEIS). The commentor expressed concern over HF released in an accident and the difficulty site personnel would have in responding to such an accident, noting the proximity of the Barkley Airport to the Paducah site and the crash of a B-1 bomber near the Paducah site during the PEIS public hearings. The commentor requested that serious analysis be conducted to develop approaches to mitigate such events, such as considering building additional yards and stacking cylinders one high to allow better access in the event of an accident. The State of Tennessee Department of Environment and Conservation also requested that the chance of a catastrophic event, such as a plane crash into a cylinder yard, be explored and the possibility of a deliberate act be considered.

2.5.7 Disposal Analysis

One commentor stated that the methods of disposal of this material should be considered for their long- and short-term risks. Another stated that the EIS must address what to do with any metal conversion product if the DUF_6 were converted to metal.

2.5.8 Use Analysis

One commentor stated that if any future production takes place at the Paducah site using the DUF_6 conversion products, it should be included in the EIS; specifically, the EIS should consider any products produced, the actual production techniques, and associated waste production. One commentor requested that DOE evaluate the impacts associated with the use of conversion products. Another commentor stated that making products from converted materials should be considered outside the scope of the EIS and also be considered in other documents when actual conversion products are known.

2.5.9 Life-Cycle Impacts

A number of commentors recommended that the EIS consider the full life cycle of the material, including conversion, packaging, transportation, disposal, and D&D of the facilities. Several commentors stated that the EIS must consider what to do with the empty cylinders. One commentor stated that the maintenance and D&D evaluation should consider the possibility that it may not be possible to ship the conversion products off site immediately.

2.5.10 Waste Management

One commentor requested that the EIS address the disposition of wastes generated from the conversion process. Another commentor stated that the Paducah GDP waste treatment plant may not be adequate to meet the needs of the conversion facility and other facilities at the site.

2.5.11 Cultural Resources

One commentor requested that DOE evaluate the corrosive effects of fluorine compounds released to the environment from the conversion plant at Paducah GDP on buildings and art work in Paducah and other towns in western Kentucky and southern Illinois.

ATTACHMENT A:

NOTICE OF INTENT TO PREPARE AN ENVIRONMENTAL IMPACT STATEMENT FOR DEPLETED URANIUM HEXAFLUORIDE CONVERSION FACILITIES

AGENCY: Department of Energy.

ACTION: Notice of Intent.

SUMMARY: The U.S. Department of Energy (DOE) announces its intention to prepare an Environmental Impact Statement (EIS) for a proposal to construct, operate, maintain, and decontaminate and decommission two depleted uranium hexafluoride (DUF_6) conversion facilities, at Portsmouth, Ohio, and Paducah, Kentucky. DOE would use the proposed facilities to convert its inventory of DUF_6 to a more stable chemical form suitable for storage, beneficial use, or disposal. Approximately 700,000 metric tons of DUF_6 in about 57,700 cylinders are stored at Portsmouth and Paducah, and at an Oak Ridge, Tennessee site. The EIS will address potential environmental impacts of the construction, operation, maintenance, and decontamination and decommissioning of the conversion facilities. DOE will hold public scoping meetings near the three involved sites.

DATES: DOE invites public comments on the proposed scope of the DUF_6 conversion facilities EIS. To ensure consideration, comments must be postmarked by November 26, 2001. Late comments will be considered to the extent practicable. Three public scoping meetings will be held near Portsmouth, Ohio; Paducah, Kentucky; and Oak Ridge, Tennessee. The scoping meetings will provide the public with an opportunity to present comments on the scope of the EIS, and to ask questions and discuss concerns with DOE officials regarding the EIS. The location, date, and time for these public scoping meetings are as follows:

Portsmouth, Ohio: Thursday, November 1, 2001, from 6-9 p.m. at the Vern Riffe Pike County Vocational School, 175 Beaver Creek Road - off State Route 32, Piketon, Ohio 45661.

Paducah, Kentucky: Tuesday, November 6, 2001, from 6-9 p.m. at the Information Age Park Resource Center, 2000 McCracken Blvd., Paducah, Kentucky 42001.

Oak Ridge, Tennessee: Thursday, November 8, 2001, from 6-9 p.m. at the Pollard Auditorium, Oak Ridge Institute for Science and Education, 210 Badger Avenue, Oak Ridge, Tennessee 37831.

ADDRESSES: Please direct comments or suggestions on the scope of the EIS and questions concerning the proposed project to: Kevin Shaw, U.S. Department of Energy, Office of Environmental Management, Office of Site Closure - Oak Ridge Office (EM–32), 19901 Germantown Road, Germantown, Maryland 20874, fax (301) 903–3479, e-mail DUF6.Comments@em.doe.gov (please use 'NOI Comments' for the subject).

FOR FURTHER INFORMATION CONTACT: For information regarding the proposed project, contact Kevin Shaw, as above. For general information on the DOE NEPA process, please contact Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (EH-42), U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-0119, telephone (202) 586-4600 or leave a message at (800) 472-2756.

SUPPLEMENTARY INFORMATION:

Background

Depleted UF_6 results from the process of making uranium suitable for use as fuel in nuclear reactors or for military applications. The use of uranium in these applications requires increasing the proportion of the uranium-235 isotope found in natural uranium, which is approximately 0.7 percent (by weight), through an isotopic separation process. A U–235 "enrichment" process called gaseous diffusion has historically been used in the United States. The gaseous diffusion process uses uranium in the form of UF_6, primarily because UF_6 can conveniently be used in the gas form for processing, in the liquid form for filling or emptying containers, and in the solid form for storage. Solid UF_6 is a white, dense, crystalline material that resembles rock salt.

Over the last five decades, large quantities of uranium were enriched using gaseous diffusion. "Depleted" UF_6 (DUF_6) is a product of the process and was stored at the three uranium enrichment sites located at Paducah, Kentucky; Portsmouth, Ohio; and the East Tennessee Technology Park (ETTP - formerly known as the K-25 Site) in Oak Ridge, Tennessee. Depleted uranium is uranium that, through the enrichment process, has been stripped of a portion of the uranium-235 that it once contained so that it has a lower uranium-235 proportion than the 0.7 weight-percent found in nature. The uranium in most of DOE's DUF_6 has between 0.2 to 0.4 weight-percent uranium-235.

DOE has management responsibility for approximately 700,000 metric tons (MT) of DUF_6 contained in about

57,700 steel cylinders at the Portsmouth, Paducah, and ETTP sites, where it has stored such material since the 1950s. The characteristics of UF_6 pose potential health and environmental risks. DUF_6 in cylinders emits low levels of gamma and neutron radiation. Also, when released to the atmosphere, DUF_6 reacts with water vapor in the air to form hydrogen fluoride (HF) and uranyl fluoride (UO_2F_2), both chemically toxic substances. In light of such characteristics, DOE stores DUF_6 in a manner designed to minimize the risk to workers, the public, and the environment.

In October 1992, the Ohio Environmental Protection Agency (OEPA) issued a Notice of Violation (NOV) alleging that DUF_6 stored at the Portsmouth facility is subject to regulation under State hazardous waste laws applicable to the Portsmouth Gaseous Diffusion Plant. The NOV stated that OEPA had determined DUF_6 to be a solid waste and that DOE had violated Ohio laws and regulations by not evaluating whether such waste was hazardous. DOE disagreed with this assessment, and, in February 1998, DOE and OEPA reached an agreement. This agreement sets aside the issue of whether the DUF_6 is subject to Resource Conservation and Recovery Act regulation and institutes a negotiated management plan governing the storage of the Portsmouth DUF_6. The agreement also requires DOE to continue its efforts to evaluate potential use or reuse of the material. The agreement expires in 2008.
In 1994, DOE began work on the Programmatic Environmental Impact Statement for Alternative Strategies for the Long-Term Management and Use of Depleted Uranium Hexafluoride (DUF_6 PEIS). The DUF_6 PEIS was completed in 1999 and identified conversion of DUF_6 to another chemical form for use or long-term storage as part of a preferred management alternative. In the corresponding Record of Decision for the Long-Term Management and Use of Depleted Uranium Hexafluoride (ROD) (64 FR 43358, August 10, 1999), DOE decided to promptly convert the DUF_6 inventory to depleted uranium oxide, depleted uranium metal, or a combination of both. The ROD further explained that depleted uranium oxide will be used as much as possible, and the remaining depleted uranium oxide will be stored for potential future uses or disposal, as necessary. In addition, according to the ROD, conversion to depleted uranium metal will occur only if uses are available.

During the time that DOE was analyzing its long-term strategy for managing the DUF_6 inventory, several other events occurred related to DUF_6 management. In 1995, the Department began an aggressive program to better manage the DUF_6 cylinders, known as the DUF_6 Cylinder Project Management Plan. In part, this program responded to the Defense Nuclear Facilities Safety Board (DNFSB) Recommendation 95–1, Safety of Cylinders Containing Depleted Uranium. This program included more rigorous and frequent inspections, a multi-year program for painting and refurbishing of cylinders, and construction of concrete-pad cylinder yards. Implementation of the DUF_6 Cylinder Project Management Plan has been successful, and, as a result, on December 16, 1999, the DNFSB closed out Recommendation 95-1.

In February 1999, DOE and the Tennessee Department of Environment and Conservation entered into a consent order which included a requirement for the performance of two environmentally beneficial projects: the implementation of a negotiated management plan governing the storage of the small inventory (relative to other sites) of all UF_6 (depleted, low enriched, and natural) cylinders stored at the ETTP site, and the removal of the DUF_6 from the ETTP site or the conversion of the material by December 31, 2009.

In July 1998, the President signed Public Law (P.L.) 105–204. This law directed the Secretary of Energy to prepare "a plan to ensure that all amounts accrued on the books" of the United States Enrichment Corporation (USEC) for the disposition of DUF_6 would be used to commence construction of, not later than January 31, 2004, and to operate, an on-site facility at each of the gaseous diffusion plants at Paducah and Portsmouth, to treat and recycle DUF_6 consistent with the National Environmental Policy Act (NEPA). DOE responded to P.L. 105–204 by issuing the Final Plan for the Conversion of Depleted Uranium Hexafluoride (referred to herein as the "Conversion Plan") in July 1999. The Conversion Plan describes DOE's intent to chemically process the DUF_6 to create products that would present both a lower long-term storage hazard and provide a material that would be suitable for use or disposal.

DOE initiated the Conversion Plan with the announced availability of a draft Request for Proposals (RFP) on July 30, 1999, for a contractor to design, construct, and operate DUF_6 conversion facilities at the

Paducah and Portsmouth uranium enrichment plant sites. Based on comments received on the draft RFP, DOE revisited some of the assumptions about management of the DUF_6 inventory made previously in the PEIS and ROD. For example, as documented in the Oak Ridge National Laboratory study, Assessment of Preferred Depleted Uranium Disposal Forms (ORNL/TM– 2000/161, June 2000), four potential conversion forms (triuranium octoxide (U_30_8), uranium dioxide ($U0_2$), uranium tetrafluoride (UF_4), and uranium metal) were evaluated and found to be acceptable for near-surface disposal at low-level radioactive waste disposal sites such as those at DOE's Nevada Test Site and Envirocare of Utah, Inc. Therefore, the RFP was modified to allow for a wide range of potential conversion product forms and process technologies. However, any of the proposed conversion forms must have an assured environmentally acceptable path for final disposition.

On October 31, 2000, DOE issued a final RFP to procure a contractor to design, construct, and operate DUF_6 conversion facilities at the Paducah and Portsmouth plant sites. Any conversion plants that result from this procurement would convert the DUF_6 to a more stable chemical form that is suitable for either beneficial use or disposal. The selected contractor would design the conversion plants using the technology it proposes and construct the plants. The selected contractor also would operate the plants for a five-year period, which would include maintaining depleted uranium and product inventories, transporting all uranium hexafluoride storage cylinders in Tennessee to a conversion plant at Portsmouth, as appropriate, and transporting converted product for which there is no use to a disposal site. The selected contractor would also prepare excess material for disposal at an appropriate site.

DOE received five proposals in response to the DUF_6 conversion RFP, and DOE anticipates that a contract will be awarded during the first quarter of fiscal year 2002. Since the site-specific NEPA process will not be completed prior to contract award, the contract shall be contingent on completion of the NEPA process and will be structured such that the NEPA process will be completed in advance of a go/no-go decision. (See NEPA Process below.) DOE initiated the NEPA review by issuing an Advance Notice of Intent to prepare an EIS for the DUF_6 conversion facilities on May 7, 2001 (66 FR 23010).

Purpose and Need for Agency Action

DOE needs to convert its inventory of DUF_6 to a more stable chemical form for storage, use, or disposal. This need follows directly from the decision presented in the August 1999 "Record of Decision for Long-Term Management and Use of Depleted Uranium Hexafluoride," namely to begin conversion of the DUF_6 inventory as soon as possible.

This EIS will assess the potential environmental impacts of constructing, operating, maintaining, and decontaminating and decommissioning DUF_6 conversion facilities at the Portsmouth and Paducah sites, as well as other reasonable alternatives. The EIS will aid decision making on DUF_6 conversion by evaluating the environmental impacts of the range of reasonable alternatives, as well as providing a means for public input into the decision making process. DOE is committed to ensuring that the public has ample opportunity to participate in this review.

Relation to the DUF_6 PEIS

This EIS represents the second level of a tiered environmental review process being used to evaluate and implement the DUF_6 management program. Tiering refers to the process of first addressing general (programmatic) matters in a PEIS followed by more narrowly focused (project level) environmental review that incorporates by reference the more general discussions. The DUF_6 PEIS, issued in April 1999, was the first level of this tiered approach.

The DUF_6 PEIS addressed the potential environmental impacts of broad strategy alternatives, including analyses of the impacts of: (1) continued storage of DUF_6 at DOE's current storage sites; (2) technologies for converting the DUF_6 to depleted U_3O_8, UO_2, or uranium metal; (3) long-term storage of depleted U_3O_8 and UO_2 for subsequent use or disposal; (4) long-term storage of DUF_6 in cylinders at a consolidated site; (5) use of depleted UO_2 and uranium metal conversion products; (6) transportation of materials; and (7) disposal of depleted U_3O_8 and UO_2 at generic disposal sites. The results of the PEIS analysis, as well as supporting documentation, will be incorporated into this EIS to the extent appropriate.

The ROD for the DUF_6 PEIS declared DOE's decision to promptly convert the DUF_6 inventory to a more stable

chemical form. This tiered EIS will address specific issues associated with the implementation of the DUF_6 PEIS ROD.

Preliminary Alternatives

Consistent with NEPA implementation requirements, this EIS will assess the range of reasonable alternatives regarding constructing, operating, maintaining, and decontaminating and decommissioning DUF_6 conversion facilities. The following preliminary list of alternatives is subject to modification in response to comments received during the public scoping process.

Preferred Alternative. Under the preferred alternative, two conversion facilities would be built: one at the Paducah Gaseous Diffusion Plant site and another at the Portsmouth Gaseous Diffusion Plant site. The cylinders currently stored at the ETTP site near Oak Ridge, Tennessee, would be transported to Portsmouth for conversion. The conversion products (i.e., depleted uranium as well as fluorine components produced during the conversion process) would be stored, put to beneficial uses, or disposed of at an appropriate disposal facility. This alternative is consistent with the Conversion Plan, which DOE submitted to Congress in July 1999, in response to Public Law 105–204. Subalternatives to be considered for the preferred alternative include:

- Conversion technology processes identified in response to the final RFP for DUF_6 conversion services, plus any other technologies that DOE believes must be considered.
- Local siting alternatives for building and operating conversion facilities within the Paducah and Portsmouth plant boundaries.
- Timing options, such as staggering the start of the construction and operation of the two conversion facilities.

One Conversion Plant Alternative. An alternative of building and operating only one conversion facility at either the Portsmouth or the Paducah site will be considered. This plant could differ in size or production capacity from the two proposed for Portsmouth and Paducah. Technology and local siting subalternatives will be considered as with the preferred alternative.

Use of Existing UF_6 Conversion Capacity Alternative. DOE will consider using already-existing UF_6 conversion capacity at commercial nuclear fuel fabrication facilities in lieu of constructing one or two new conversion plants. DOE is evaluating the feasibility of using existing conversion capacity, although no expression of interest has been received from such facilities.

No Action Alternative. Under the "no action" alternative, cylinder management activities (handling, inspection, monitoring, and maintenance) would continue the "status quo" at the three current storage sites indefinitely, consistent with the DUF_6 Cylinder Project Management Plan and the consent orders, which include actions needed to meet safety and environmental requirements.

Where applicable under the alternatives listed above, transportation options, such as truck, rail, and barge, will be considered for shipping DUF_6 cylinders to a conversion facility and conversion products to a storage or disposal facility. Also, for each technology alternative, alternatives for conversion products, including storage, use, and disposal at one or more disposal sites, will be considered. Further, DOE would appreciate comments regarding whether there are additional siting alternatives for one or more new conversion facilities that should be considered.

Identification of Environmental and Other Issues

DOE intends to address the following environmental issues when assessing the potential environmental impacts of the alternatives in this EIS. Additional issues may be identified as a result of the scoping process. DOE invites comment from the Federal agencies, Native American tribes, state and local governments, and the general public on these and any other issues that should be considered in the EIS:

- Potential impacts on health from DUF_6 conversion activities, including potential impacts to workers and the public from exposure to radiation and chemicals during routine and accident conditions for the construction, operation, maintenance, and decontamination and decommissioning of DUF_6 conversion facilities.
- Potential impacts to workers and the public from exposure to radiation and chemicals during routine and accident conditions for the transportation of DUF_6

cylinders from ETTP to one of the conversion sites.

- Potential impacts to workers and the public from exposure to radiation and chemicals during routine and accident conditions for the transportation of conversion products that are not beneficially used to a low-level waste disposal facility.

- Potential impacts to surface water, ground water, and soil during construction activities and from emissions and water use during facility operations.

- Potential impacts on air quality from emissions and from noise during facility construction and operations.

- Potential cumulative impacts of the past, present, and reasonably foreseeable future actions (including impacts resulting from activities of the United States Enrichment Corporation).

- Potential impacts from facility construction on historically significant properties, if present, and on access to traditional use areas.

- Potential impacts from land requirements, potential incompatibilities, and disturbances.

- Potential impacts on local, regional, or national resources from materials and utilities required for construction and operation.

- Potential impacts on ecological resources, including threatened and endangered species, floodplains, and wetlands.

- Potential impacts on local and DOE-wide waste management capabilities.

- Potential impacts on local employment, income, population, housing, and public services from facility construction and operations, and environmental justice issues.

- Pollution prevention, waste minimization, and energy and water use reduction technologies to reduce the use of energy, water, and hazardous substances and to mitigate environmental impacts.

DOE received comments on the Advance Notice of Intent from the Tennessee Department of Environment and Conservation (TDEC) and the Ohio Environmental Protection Agency (OHEPA). TDEC commented that the EIS should provide an adequate platform for coordination of environmental issues between DOE, Ohio, Kentucky, and Tennessee, without additional agreements if certain specified topics were explored in detail in the EIS. TDEC's comments emphasized issues related to the transportation of the ETTP cylinders to Portsmouth. OHEPA's comment concurred in TDEC's comment that the EIS should coordinate environmental issues between DOE, Ohio, Kentucky, and Tennessee, especially emergency management issues associated with the transportation of the ETTP cylinders to Portsmouth.

NEPA Process

The EIS for the proposed project will be prepared pursuant to the NEPA of 1969 (42 U.S.C. 4321 et seq.), Council on Environmental Quality NEPA Regulations (40 CFR Parts 1500—1508), and DOE's NEPA Implementing Procedures (10 CFR Part 1021). Following the publication of this Notice of Intent, DOE will hold scoping meetings, prepare and distribute the draft EIS for public review, hold public hearings to solicit public comment on the draft EIS, and publish a final EIS. Not less than 30 days after the publication of the U.S. Environmental Protection Agency's Notice of Availability of the final EIS, DOE may issue a ROD documenting its decision concerning the proposed action.

In addition to the above steps, DOE is considering environmental factors in selecting a contractor for the conversion services through the procurement process, including preparation of an environmental critique and an environmental synopsis pursuant to 10 CFR 1021.216. The environmental critique evaluates the environmental data and information submitted by each offeror and is subject to the confidentiality requirements of the procurement process. DOE also is preparing a publicly available environmental synopsis, based on the environmental critique, to document the consideration given to environmental factors in the contractor selection process. The environmental synopsis will be filed with the U.S. Environmental Protection Agency and will be incorporated into the EIS. In accordance with 10 CFR 1021.216(i), since the NEPA process will not be completed prior to contract award, the contract will be

structured to allow the NEPA review process to be completed in advance of a go/no-go decision.

Related NEPA Reviews

Final Programmatic Environmental Impact Statement for Alternative Strategies for the Long-Term Management and Use of Depleted Uranium Hexafluoride (DOE/EIS–0269, April 1999);

Final Waste Management Programmatic Environmental Impact Statement for Managing Treatment, Storage, and Disposal of Radioactive and Hazardous Waste (DOE/EIS–0200– F, May 1997);

Disposition of Surplus Highly Enriched Uranium, Final Environmental Impact Statement (DOE/ EIS–0240, June 1996);

Environmental Assessment for the Refurbishment of Uranium Hexafluoride Cylinder Storage Yards C–745–K, L, M, N, and P and Construction of a New Uranium Hexafluoride Cylinder Storage Yard (C– 745–T) at the Paducah Gaseous Diffusion Plant, Paducah, Kentucky (DOE/EA–1118, July 1996);

Environmental Assessment for DOE Sale of Surplus Natural and Low Enriched Uranium (DOE/EA–1172, October 1996); Environmental Assessment for the Lease of Land and Facilities within the East Tennessee Technology Park, Oak Ridge, Tennessee (DOE/EA–1175, 1997);

Notice of Intent for Programmatic Environmental Impact Statement for Disposition of Scrap Metals (DOE/EIS-0327) (66 FR 36562, July 12, 2001).

Scoping Meetings

The purpose of this Notice is to encourage early public involvement in the EIS process and to solicit public comments on the proposed scope of the EIS, including the issues and alternatives it would analyze. DOE will hold public scoping meetings near Portsmouth, Ohio; Paducah, Kentucky; and Oak Ridge, Tennessee, to solicit both oral and written comments from interested parties. Oral and written comments will be considered equally in the preparation of the EIS. See "DATES" above for the times and locations of these meetings.

DOE will designate a presiding officer for the scoping meetings. The scoping meetings will not be conducted as evidentiary hearings, and there will be no questioning of the commentors. However, DOE personnel may ask for clarifications to ensure that they fully understand the comments and suggestions. The presiding officer will establish the order of speakers. At the opening of each meeting, the presiding officer will announce any additional procedures necessary for the conduct of the meetings. If necessary to ensure that all persons wishing to make a presentation are given the opportunity, a time limit may be applied for each speaker. Comment cards will also be available for those who would prefer to submit written comments.

DOE will make transcripts of the scoping meetings and other environmental and project-related materials available for public review in the following reading rooms:
DOE Headquarters, Freedom of Information Reading Room, 1000 Independence Avenue, SW, Room 1 E-190, Washington, DC 20585. Telephone: (202) 586-3142.

Oak Ridge/ DOE, Public Reading Room, 230 Warehouse Road, Suite 300, Oak Ridge, Tennessee 37831. Telephone: (865) 241-4780.

Paducah/DOE, Environmental Information Center, Berkley Centre, 115 Memorial Drive, Paducah, Kentucky 42001, Telephone:
(270) 554-6979.

Portsmouth/DOE, Environmental Information Center, 3930 U.S. Route 23, Perimeter Road, Piketon, OH 45661. Telephone: (740) 289-3317.

Information is also available through the project web site at http://web.ead.anl.gov/uranium and on the DOE NEPA web site at http://www.tis.eh.doe.gov/ nepa.

The EIS will also contain a section summarizing the nature of the comments received during the scoping process and describing any modification to the scope of the EIS in response to the scoping process comments.

EIS Schedule

The draft EIS is scheduled to be published by June 2002. A 45-day comment period on the draft EIS is planned, which will include public hearings to receive oral comments. Availability of the draft EIS, the dates of the public comment period, and information about the public hearings will be announced in the Federal Register and in the local news media.

The final EIS for the DUF_6 Conversion Facilities is scheduled for January 2003. A ROD would be issued no sooner than 30 days after the U. S. Environmental Protection Agency notice of availability of the final EIS is published in the Federal Register.

Signed in Washington, DC, this 10th day of September, 2001.

Steven V. Cary
Acting Assistant Secretary
Office of Environment, Safety and Health

NOTICE OF CHANGE IN NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE APPROACH FOR THE DEPLETED URANIUM HEXAFLUORIDE (DUF_6) CONVERSION FACILITIES PROJECT

"Browse Pending Collections" link and by clicking on link number 2270. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW., Room 4050, Regional Office Building 3, Washington, DC 20202–4651 or to the e-mail address *vivan.reese@ed.gov*. Requests may also be electronically mailed to the internet address *OCIO_RIMG@ed.gov* or faxed to 202–708–9346. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Joseph Schubart at (202) 708–9266 or to his e-mail address *Joe.Schubart@ed.gov*. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

[FR Doc. 03–10325 Filed 4–25–03; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Notice of Change in National Environmental Policy Act (NEPA) Compliance Approach for the Depleted Uranium Hexafluoride (DUF6) Conversion Facilities Project

AGENCY: Department of Energy.

ACTION: Notice of revised approach.

SUMMARY: On September 18, 2001, the U.S. Department of Energy (DOE) published a Notice of Intent (NOI) in the **Federal Register**, announcing its intention to prepare an Environmental Impact Statement (EIS) for a proposed action to construct, operate, maintain, and decontaminate and decommission two depleted uranium hexafluoride (DUF6) conversion facilities at Portsmouth, Ohio, and Paducah, Kentucky. DOE held three scoping meetings to provide the public with an opportunity to present comments on the scope of the EIS, and to ask questions and discuss concerns with DOE officials regarding the EIS. The scoping meetings were held in Piketon, Ohio on November 28, 2001; in Oak Ridge, Tennessee on December 4, 2001, and in Paducah, Kentucky, on December 6, 2001. The purpose of this Notice is to inform the public of the change in the approach for the NEPA review for the DUF6 conversion projects for Paducah and Portsmouth, and to invite public comments on the revised approach.

DATES: Comments received by May 30, 2003, will be considered in the preparation of the draft EISs. Comments received after that date will be considered to the extent practicable.

ADDRESSES: Comments and suggestions can be forwarded to Gary Hartman, U.S. Department of Energy—Oak Ridge Operations Office, Oak Ridge, Tennessee 37831, telephone (865) 576–0273, fax: (865) 576–0746, e-mail: *hartmangs@oro.doe.gov*. Also contact Mr. Hartman with any questions regarding the DOE DUF6 conversion project.

FOR FURTHER INFORMATION CONTACT: For general information on the DOE NEPA process, contact Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (EH–42), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585–0119, telephone (202) 586–4600 or leave a message at (800) 472–2756.

SUPPLEMENTARY INFORMATION: On September 18, 2001, the U.S. Department of Energy (DOE) published a Notice of Intent (NOI) in the **Federal Register** (66 FR 48123), announcing its intention to prepare an Environmental Impact Statement (EIS) for a proposed action to construct, operate, maintain, and decontaminate and decommission two depleted uranium hexafluoride (DUF6) conversion facilities at Portsmouth, Ohio, and Paducah, Kentucky. DOE held three scoping meetings to provide the public with an opportunity to present comments on the scope of the EIS, and to ask questions and discuss concerns with DOE officials regarding the EIS. The scoping meetings were held in Piketon, Ohio on November 28, 2001; in Oak Ridge, Tennessee on December 4, 2001, and in Paducah, Kentucky, on December 6, 2001. The alternatives identified in the NOI included a two-plant alternative (two conversion plants would be built, one at the Paducah Gaseous Diffusion Plant site and another at the Portsmouth Gaseous Diffusion Plant site), a one-plant alternative (only one plant would be built either at the Paducah or the Portsmouth site), a use of existing UF6 conversion capacity alternative (DOE would consider using already-existing UF6 conversion capacity at commercial nuclear fuel fabrication facilities in lieu of constructing one or two new plants), and the no action alternative. For alternatives that involved constructing one or two new plants, DOE planned to consider alternative conversion technologies, local siting alternatives within the Paducah and Portsmouth plant boundaries, and the shipment of DUF6 cylinders stored at the East Tennessee Technology Park (ETTP) near Oak Ridge, Tennessee, to either the Portsmouth or Paducah sites. The technologies to be considered in the EIS were those submitted in response to a Request for Proposals (RFP) for conversion services that DOE had issued in October 2000, plus any other technologies that DOE believed must be considered.

Then, on August 2, 2002, the U.S. Congress passed the *2002 Supplemental Appropriations Act for Further Recovery From and Response to Terrorist Attacks on the United States* (Public Law 107–206). In pertinent part, this law required that, within 30 days of enactment, DOE award a contract for the scope of work described in the October 2000 RFP, including design, construction, and operation of a DUF6 conversion plant at each of the Department's Paducah, Kentucky and Portsmouth, Ohio sites. Accordingly, the DOE awarded a contract to Uranium Disposition Services, LLC, on August 29, 2002.

In light of Public Law 107–206, and DOE's award of the contract to Uranium Disposition Services, DOE reevaluated the appropriate scope of its NEPA review and decided to prepare two separate EIS's, one for the plant proposed for the Paducah site and a second for the Portsmouth site. The proposed alternatives to be considered in each EIS would focus primarily on where the conversion facilities will be sited at the respective sites, and a no action alternative. DOE will also consider impacts arising from shipment of ETTP cylinders for conversion to each site.

Schedule

Both draft EISs are scheduled to be published in July 2003. A 45-day comment period on the draft EISs is planned, which will include public hearings to receive comments. Availability of the draft EISs, the dates of the public comment period, and information about the public hearings will be announced in the **Federal Register** and in the local news media.

The final EISs are scheduled for publication in January 2004. The Records of Decision would be issued no sooner than 30 days after the U.S. Environmental Protection Agency notices of availability of the final EISs are published in the **Federal Register**. As directed by Pub. L. 107–206, construction of the DUF6 conversion facilities is scheduled to begin not later than July 31, 2004.

The purpose of this Notice is to inform the public of the change in the approach for the NEPA review for the DUF6 conversion projects for Paducah

and Portsmouth, and to invite public comments on the revised approach.

David R. Allen,

NEPA Compliance Officer, Oak Ridge Operations Office.

[FR Doc. 03–10373 Filed 4–25–03; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Paducah

AGENCY: Department of Energy (DOE).

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Paducah. The Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770) requires that public notice of these meetings be announced in the **Federal Register**.

DATES: Thursday, May 15, 2003, 5:30 p.m.–9 p.m.

ADDRESSES: 111 Memorial Drive, Barkley Centre, Paducah, Kentucky.

FOR FURTHER INFORMATION CONTACT: W. Don Seaborg, Deputy Designated Federal Officer, Department of Energy Paducah Site Office, Post Office Box 1410, MS–103, Paducah, Kentucky 42001, (270) 441–6806.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to make recommendations to DOE and its regulators in the areas of environmental restoration and waste management activities.

Tentative Agenda

5:30 p.m. Informal Discussion
6:00 p.m. Call to Order; Introductions; Approve April Minutes; Review Agenda
6:10 p.m. DDFO's Comments
- Budget Update
- ES & H Issues
- EM Project Updates
- CAB Recommendation Status
- Other

6:30 p.m. Federal Coordinator Comments
6:40 p.m. Ex-officio Comments
6:50 p.m. Public Comments and Questions
7:00 p.m. Review of Action Items
7:15 p.m. Break
7:25 p.m. Presentation
- Fiscal Year (FY) 2004 Budget—Judy Penry (Oak Ridge Chief Financial Officer [CFO])
- Waste Disposition Environmental Assessment (EA) Addendum

8:10 p.m. Public Comments and Questions
8:20 p.m. Task Force and Subcommittee Reports
- Water Task Force
- Waste Operations Task Force
- Long Range Strategy/Stewardship
- Community Concerns
- Public Involvement/Membership

8:55 p.m. Administrative Issues
- Preparation for September Chairs' Meeting
- June Dinner Meeting
- Review of Workplan
- Review Next Agenda
- Final Comments

9:10 p.m. Adjourn

Copies of the final agenda will be available at the meeting.

Public Participation: The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact David Dollins at the address listed above or by telephone at (270) 441–6819. Requests must be received five days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Deputy Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Each individual wishing to make public comment will be provided a maximum of five minutes to present their comments as the first item of the meeting agenda.

Minutes: The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E–190, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585 between 9 a.m. and 4 p.m., Monday–Friday, except Federal holidays. Minutes will also be available at the Department of Energy's Environmental Information Center and Reading Room at 115 Memorial Drive, Barkley Centre, Paducah, Kentucky between 8 a.m. and 5 p.m. Monday through Friday or by writing to David Dollins, Department of Energy Paducah Site Office, Post Office Box 1410, MS–103, Paducah, Kentucky 42001 or by calling him at (270) 441–6819.

Issued at Washington, DC, on April 23, 2003.

Belinda G. Hood,

Acting Deputy Advisory Committee Management Officer.

[FR Doc. 03–10374 Filed 4–25–03; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER03–610–000]

Allegheny Energy Supply Units 3, 4, & 5, LLC; Notice of Issuance of Order

April 21, 2003.

Allegheny Energy Supply Units 3, 4, & 5, LLC (Allegheny 3, 4 & 5) filed an application for market-based rate authority, with an accompanying tariff. The proposed market-based rate tariff provides for the sale of capacity and energy at market-based rates, as well as sale of ancillary services into PJM Interconnection LLC, New York Independent System Operator, Inc., and ISO New England, Inc. at market-based rates. Allegheny 3, 4, & 5 also requested waiver of various Commission regulations. In particular, Allegheny 3, 4, & 5 requested that the Commission grant blanket approval under 18 CFR part 34 of all future issuances of securities and assumptions of liability by Allegheny 3, 4, & 5.

On April 18, 2003, pursuant to delegated authority, the Director, Division of Tariffs and Market Development—South, granted the request for blanket approval under part 34, subject to the following:

Any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by Allegheny 3, 4, & 5 should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with rules 211 and 214 of the Commission's rules of practice and procedure (18 CFR 385.211 and 385.214).

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is May 19, 2003.

Absent a request to be heard in opposition by the deadline above, Allegheny 3, 4, & 5 is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of Allegheny 3, 4, & 5 compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of Allegheny 3, 4, & 5's