

March 8, 2011

Secretary, U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Rulemakings and Adjudications Staff

As organizations and experts that are deeply concerned about the risks of nuclear proliferation, we strongly support the American Physical Society (APS) petition to require proliferation assessments as part of the NRC licensing process (Docket ID NRC-2010-0372).

Nowhere on the path to commercializing a nuclear technology is there a formal pause to assess proliferation risks. This is a disastrous oversight that must be addressed.

We believe that without appropriate attention to proliferation risks, the very act of commercializing new nuclear technologies, such as the proposed GE-Hitachi laser enrichment facility in North Carolina, can encourage proliferants. This point was acknowledged in a federal assessment in 1999, supported by NRC, which described the laser enrichment technology as follows: "It seems likely that success with SILEX would renew interest in laser enrichment by nations with benign intent as well as by proliferants with an interest in finding an easier route to acquiring fissile material for nuclear weapons."¹

We are also concerned that the risks posed by nuclear fuel technologies are substantial and, if left unchecked, will continue to grow. These technologies have spread covertly around the world in part because one individual, A.Q. Khan, stole plans from his employer, URENCO. While industry may offer assurances that they don't proliferate, their employees have. Given this history, additional steps must be taken to insure that proliferants don't gain access to even more advanced nuclear technologies.

The petition is a step in addressing the above concerns by requiring proliferation assessments before any enrichment or reprocessing technology is commercialized. The Atomic Energy Act requires NRC to deny licenses that would be "inimical to the common defense and security" of the United States. Therefore, the NRC is obligated to analyze the proliferation implications of these new technologies within its licensing process. We urge the NRC to quickly adopt the APS petition for the sake of national – and global – safety and security.

Sincerely,

¹ Nuclear Proliferation Assessment Statement, Proposed Agreement for Cooperation Between the United States of America and Australia, 1999

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