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1323 Rhode Island Avenue, N.W.
Washington, D.C. 20005
(202) 234-4433

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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PUBLIC COMMENT MEETING On

THE LOUISIANA ENERGY SERVICES

PROPOSED NATIONAL ENRICHMENT FACILITY

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Thursday, October 14, 2004

Cafeteria

Eunice Community Center

1115 Avenue I

Eunice, New Mexico

The meeting convened at 8:00 p.m.

PANEL MEMBERS:

FRANCIS X. "CHIP" CAMERON, Facilitator

PRESENTERS:

SCOTT FLANDERS

TIMOTHY JOHN JOHNSON

ANNA BRADFORD

OTHER NRC STAFF:

BRIAN SMITH

JAMES PARK

LINDA MARGSHALL

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P R O C E E D I N G S

MR. CAMERON: Good evening, everyone. It's nice to see all of you again. I would just like to welcome you to the Nuclear Regulatory Commission's public tonight.

My name is Chip Cameron, and I'm the special counsel for public liaison at the Nuclear Regulatory Commission. And it's my pleasure to serve as facilitator for tonight's meeting.

In that role I'll just try to help all of us to have a productive meeting and maybe to get out of here before the sun rises tomorrow morning.

But our discussion is going to be on the draft environmental statement that the NRC staff has prepared to help the NRC evaluate an application that we received from the Louisiana Energy Services, LES, to build and operate a uranium enrichment facility in Eunice.

I just want to say a couple words about meeting process before we get into the substance of tonight's discussion.

First of all the format for the meeting. We have a two-part format.

The first part is going to consist of some relatively brief NRC presentations by NRC staff to give you some background not only on what our review process is

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- 104 WILL PALMER
- 105 TWILLA PRESTON
- 107 SCOTT SMITH
- 109 ALBERTO CABALLERO
- 110 CLIFF BURCH
- 112 DON PETERSON
- 113 GLEN PIPES
- 115 LYNN WHITE
- 116 LEE WHITE
- 118 JOHN GOOD
- 120 JANICE SPENCE
- 121 KAREN STEVENS
- 122 JOAN TUCKER
- 123 DEDE WALLACE
- 127 LEE CHENEY

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1 for this license application, but specifically to talk
2 about the findings in the draft environmental impact
3 statement that we prepared.

4 And then we're going on to you for any
5 questions that you might have on those background
6 presentations, because we want to make sure that
7 everything is as clear as we can possibly make it for you.

8 The second part of the meeting is an
9 opportunity to listen to all of you and for you to give us
10 your advice, concerns, recommendations on the draft
11 environmental impact statement that we've prepared.

12 Now we're also taking written comments. And
13 the staff will tell you the process for submitting written
14 comments.

15 But we wanted to be with you tonight to meet
16 with you personally on these issues. I just want to
17 emphasize that anything that's said tonight will carry as
18 much weight as anything that's submitted in writing.

19 In terms of ground rules when we get to the
20 question and answer session, I would ask you to hold your
21 questions until all of the three presentations are
22 finished.

23 When we go on to you for questions just give me
24 a signal, and I'll bring you with cordless microphone.
25 Introduce yourself to us and any affiliation that you

1 would like to add. And we'll try to answer you question
2 as best we can.

3 I would ask that only one person speak at a
4 time during the meeting tonight, not only most importantly
5 so that we can give our full attention to whomever has the
6 floor, but also so we can get a clean transcript of the
7 meeting. That's our record of the meeting.

8 Joan is with us who is our court report
9 tonight, and she will be taking down everything that is
10 said. That will be a public document that we can make
11 available to whomever would like a copy of that.

12 I would like us when we're in the
13 question/answer session to just focus on questions. I
14 know it's hard to not offer a comment at the same time
15 about things that feel passionately about.

16 But if you could just keep to questions. Then
17 we'll go to comments when we get to the comment part of
18 the meeting.

19 When we get to comments I guess I would like to
20 have you hold your comments to five minutes maximum and
21 perhaps less, because we do have a lot of people who want
22 to talk. We do want to hear from everyone who has
23 something to say tonight.

24 I know five minutes can sometimes not be enough
25 time for you to say all that you want to say. But at

1 least it gives us an idea of what your concerns are.
2 It also gives others in the audience a feeling
3 for concerns that may stimulate them to submit a written
4 comment or may help to inform the written comment that
5 they submit.

6 So five minutes is short, but we do want to
7 hear from you. Please send us written comments. We do
8 have something called a feedback form that, with a lot of
9 other good material, is on the table over there.

10 If you just have a short-written comment, put
11 it on that form; leave it with us tonight, or send it in.
12 It already is ready to go in the mail. You don't have to
13 put a stamp on it.

14 And use that form also if you want to give us
15 any comments about how the meeting went -- any suggestions
16 for improvement on that.

17 I also want to make sure, hopefully during the
18 first part of the comment session, that we hear from those
19 of you who have comments on specific parts of the
20 environmental impact statement or specific comments on
21 issues in the environmental impact statement.

22 We want to hear from everyone who wants to
23 talk. I know there may be just some general expressions
24 of concern, either in support of the facility or perhaps
25 against the facility.

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We want to hear those, but the thing that will
help us the most are the specific comments. So we'll try
to that done first. We'll just try to manage our time.

I think we'll have a very interesting meeting
tonight, and we'll look forward to hearing you.

I would just ask -- we've always been really
appreciative of the courtesy that we've had from Eunice,
Lea County, Hobbs, the whole area when we've been here.

I'd just would ask everyone to just extend that
courtesy to people who might be talking tonight, who might
have a different view one way or the other about these
particular issues.

With that, let me introduce the speakers
tonight so that you know a little bit about their
background.

First of all we're going to start with just
sort of an overview of the licensing process. And we're
going to go to Mr. Scott Flanders, who is sitting right
down here.

Scott is the Deputy Director of the Division of
Waste Management and Environment Protection in our office
of Nuclear Materials Safety and Safeguards at the NRC

His staff is responsible for preparing the
environment review. Not only on this license application
but on any other license applications that come in for

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1 these and similar types of facilities.

2 Scott has been with the Agency for 14 years.

3 He's been a technical assistant to the Director of the
4 Office of Nuclear Materials Safety and Safeguards. He's
5 been responsible for the environmental review on the
6 private fuel storage facility that is being proposed for
7 Utah for the storage of spent fuel.

8 He's also been responsible for the environment
9 review for the Wats Bar nuclear reactor. In fact, he
10 served as project manager for the NRC on operating
11 reactors, so he has a great breadth of experience. He has
12 a bachelor's degree in mechanical engineering from the
13 University of Maryland.

14 Then we're going to go Mr. Tim Johnson, who I
15 think a lot of you know. Tim's going to go into more
16 specifics on the safety aspect of the review of this
17 license application.

18 Tim has been with the Agency for 27 years.
19 He's been involved with a lot activities there: low-level
20 waste disposal, decommissioning.

21 He has a bachelor's in mechanical engineering
22 and a master's in nuclear engineering from Ohio State
23 University.

24 Then our last speaker is going to get really to
25 the heart of the discussion tonight, and that is the

1 findings in the draft environmental impact statement.

2 Ms. Anna Bradford is with us; she's the project
3 manager on the environment review of the LES license
4 application. She's been with the NRC about four years,
5 and before that she was responsible for environment
6 reviews, working in the private sector on these types of
7 energy projects.

8 She has a bachelor's in mechanical engineering
9 from Virginia Tech, and she also has a master's in
10 environment engineering from [inaudible] University.

11 So we have some really well-qualified people
12 working to review this license application.

13 Let me introduce one other person. Brian Smith
14 is here. He's the section chief of the Gas Centrifuge
15 Facilities Licensing section at the NRC. That's the
16 safety review. And Tim Johnson works in Brian's section,
17 safety review. Anna Bradford works in Scott's division,
18 Environmental Review.

19 We also have other staff expert consultants
20 here tonight with us. So after the meeting I would just
21 encourage you to get other questions to talk to this.

22 Finally I just want to give you a couple of
23 thank yous: one to Mayor Brown and the City of Eunice for
24 the use of this great facility for this type of meeting.
25 I also want to thank the Eunice school system

1 for video taping this meeting. Superintendent Toni
2 Trujillo and also Gene Strickland at the high school, and
3 the students obviously for doing that for us.

4 With that I'm going to stop, and I'm going to
5 ask Scott Flanders to get you an overview. Scott?

6 MR. FLANDERS: Thank you, Chip, for the
7 introduction. Good evening.

8 On behalf of the NRC staff that are here
9 tonight, we'd like to welcome you to our meeting. We are
10 very pleased to be here to discuss the environmental
11 impact statement with you. We look forward to hearing
12 your comments and questions on the document.

13 Before we get started I just want to spend a
14 few minutes going over the meetings objectives. Some of
15 this will be a little bit redundant to what Chip touched
16 on his opening of the meeting. But I think it's important
17 to go over some of the primary objectives.

18 The first objective in our primary objectives
19 tonight is to listen. We rely want to hear from you. We
20 want to hear your comments. We want to listen to you
21 comments.

22 Your comments are important to us. The are
23 important to the process. Your comments will be used to
24 decide how best to modify or to clarify the environmental
25 impact statement before we issue it as a final document,

1 so these comments are very important. It's a very vital
2 part of the process.

3 We also want to share some information with you
4 that we believe will be helpful to you in formulating
5 comments that you either give us tonight or, as Chip
6 mentioned, that you can send in to us in writing as well.

7 I'm going to spend just a few minutes going
8 over the NRC's role and responsibilities and provide a
9 general overview of the licensing process. When I'm done,
10 Mr. Tim Johnson will discuss the safety review specific
11 for the LES project.

12 And after Mr. Johnson is done, then Ms. Anna
13 Bradford will discuss the environmental review process and
14 identify some specific findings in the draft environmental
15 impact statement.

16 Who is the NRC? The NRC an independent agency.
17 We report directly to Congress.

18 We're not a part of the Department of Energy.
19 Often we are mistaken to be a part of the Department of
20 Energy. The Department of Energy is an executive branch
21 entity which reports directly to the President.

22 Our mission is to regulate the civilian use of
23 nuclear materials to ensure that the public health and
24 safety, the environment and the common defense and
25 security are adequately protected. So that's our mission.

How do we carry out this mission? To carry out this mission in various phases. One, we issue regulations that we believe that are adequate to protect the public health and safety, the environment, the common defense, and security for the various activities that we regulate.

We also inspect licensed facilities and inspect facilities against those regulations. And when we find out a facility is not in compliance with those regulations, then we also have the authority to enforce action as well.

So that's the principal way in which we carry out our mission.

I'm going to spend a few minutes going through the safety review and parts: the safety evaluation review, the environmental review, and a hearing.

The safety evaluation is a review that is going to assess the adequacy of a proposed design, construction and operation of a facility to ensure that it complies with our regulations.

So these are technical reviews and that review is documented in a safety evaluation report which is made publicly available.

The environment process is a process by which we look at the environment impacts of the construction and operation of a proposed facility.

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And that environment review is a part of the environmental impact statement, which we've issued a draft and which is the subject of our meeting tonight.

The third component of the licensing process is the hearing. And the hearing is different than what many of us would think of as a hearing where people get an opportunity to come express their views and concerns about a particular issue.

The hearing process is a process that is formal; it is a courtroom style proceeding in which parties are admitted, and the subject of the hearing is focused on contentions that are presented by the parties. Contentions are another word for concerns or issues identified by certain parties.

So the hearing process is overseen by an independent Atomic Safety Licensing Board, which is made up of three administrative law judges. And they hear all the evidence; it includes taking depositions; it includes formal testimony, cross-examination of witnesses, all of the information that's taken in by the Atomic Safety and Licensing Board, and then they will make a decision on the contentions that that are subject of a hearing.

Once all three of these components of the licensing review is complete, then the NRC will make a decision on the license application. So in the case of

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1 the LES proceeding, we're in the process of going through
2 the licensing process. No decisions have been made at
3 this time.

4 So were are proceeding along a -- once all
5 phases of the licensing process are completed, then a
6 decision will be made.

7 I think that's briefly the areas that I wanted
8 to cover.

9 MR. JOHNSON: Thank you very much. I
10 appreciate the opportunity to talk to you today about our
11 review process. I also want to thank you for coming out
12 tonight.

13 I know for many of you it's difficult to get
14 away from your normal routines. But we look at this as
15 getting your input for the environmental impact statement,
16 an important part of our process. So thank you very much
17 for coming out.

18 What I would like to talk about today is to
19 provide a brief summary of the nuclear fuel cycle and how
20 the LES project is a part of that, to talk about the
21 proposed project and also the status of our safety review.

22 Before I begin I do want to emphasize that our
23 safety review is conducted independently. As Scott said
24 we're an independent regulatory agency. We're not a
25 promoter of this project or any other nuclear project.

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1 Before LES can begin to construct and operate
2 this facility, it needs to demonstrate to us that it can
3 meet our public health and safety requirements, and then
4 we will issue a license if they can demonstrate that to
5 us.

6 But first of all the nuclear fuel cycle:
7 Uranium is a fairly common material. It's mined. And
8 when it is mined naturally it consists of two primary
9 isotopes: uranium 235 and uranium 238.

10 Uranium 235 is the fissionable isotope, and
11 that's the isotope that carries out the chain reaction in
12 the reactor which generates energy and ultimately
13 electricity.

14 The problem is naturally occurring U-235 is
15 only 0.7 percent of the total amount of uranium. Almost
16 all the rest is uranium 238.

17 In order to be used practically as nuclear
18 fuel, that U-235 concentration has to be increased to
19 about 3 to 5 percent. And that is done through the
20 enrichment process, and 3 to 5 percent is a percentage
21 that's substantially less than what would be required for
22 weapons-grade uranium, for example.

23 What this figure is kind of depicts the nuclear
24 fuel cycle. In the bottom right you have uranium mines
25 and mills. Uranium is mined in a number of places around

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1 the world, primarily in Canada and in Australia. There is
2 a small amount mined in the United States, but that amount
3 is about 2 to 3 percent of the total production in the
4 world.

5 After mining the uranium is separated
6 chemically from the rest of the ore, and that material
7 gets sent to a conversion plant where conversion through
8 chemical process changes the uranium oxide that is the
9 mined product into uranium hexafluoride, which is the
10 compound that is used in enrichment.

11 That goes to the enrichment plant. There are
12 two primary processes for enriching uranium. One is a
13 gaseous diffusion process which has been used in our
14 country for 50-plus years. The other is a gas centrifuge
15 process that has been used in Europe and also in Russia.

16 After the enrichment, the material is sent to a
17 fuel fabrication facility, where it is chemically
18 converted again back to an oxide. It's made into pellets.
19 The pellets are loaded into fuel rods. The
20 rods are put into fuel assemblies, and those fuel
21 assemblies are sent to reactors, where they undergo the
22 chain reaction, produce energy and ultimately electricity.

23 The spent fuel from those activities will
24 ultimately go to a federal waste depository. DOE is
25 responsible for developing this depository for spent fuel,

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1 and they are evaluating the Yucca Mountain site in Nevada.
2 What LES is proposing is to build an enrichment
3 plant outside Eunice here using the gas centrifuge
4 process, using technology that was developed in Europe by
5 the company called Urenco.

6 What this process does is it uses a high-speed
7 rotor installed in a casing. As the rotor spins, the
8 uranium hexafluoride separates based on the isotopic
9 weights, using centrifugal force.

10 The heavier uranium 238 isotopes tend to go to
11 the outside of the rotor. The lighter uranium 235
12 isotopes tend to be more towards the center.

13 And there are scoops within the rotor that
14 scoop out the separated fractions, and those separated
15 fractions go to further stages.

16 One particular centrifuge does not separate
17 very much, with a relatively small separation in each
18 stage, so hundreds of these machines are needed for a
19 practical-sized plant.

20 Now, before LES can begin to construct and
21 operate this facility, they need to get a license from the
22 NRC, and our responsibility is to review this license
23 application to ensure that it meets our health and safety
24 requirements.

25 In our review for this we're going to be

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1 looking at worker and public health and safety areas,
2 routine and accident conditions.

3 We'll look at effluent releases, both airborne
4 and liquids. We'll look criticality concerns and chemical
5 safety, and the results of our review will be documented
6 in the safety evaluation report.

7 Now, our safety evaluation's currently under
8 way. We received LES's application in December, and we're
9 planning on completing that review in June of next year.

10 Now, another part of this process is also
11 important. Scott mentioned the hearing process. We do
12 have a formal adjudicatory hearing process that was just
13 started.

14 This is a process that's done under specific
15 requirements set out in our regulations. Now, a lot of
16 people, when they hear the word "hearing," they think of a
17 meeting like this one, where anyone can get up and say
18 what they want.

19 Well, this hearing is a much more formal
20 process, and again it is dictated by specific requirements
21 in our regulations.

22 Three parties petitioned to intervene in this
23 licensing activity, and each of those three parties were
24 admitting as intervenors, and those three parties are the
25 New Mexico Environment Department, the New Mexico Attorney

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General's office and a joint petition by the Nuclear
Information Resource Services and Public Citizen.

And some of the issues that were admitted to
the process include disposition of depleted uranium, water
supply impacts, water usage, the adequacy of the radiation
protection program, decommissioning costs and impacts from
any gas-line explosions that may occur.

There's a natural gas line that runs adjacent
to the proposed site.

Now, the preliminary activities of part of this
hearing process has already begun, and the three-judge
panel that is hearing this case has already set a
schedule, and some of the first cross-examination of
witnesses in a court-style process are going to begin in
February. I expect the Licensing Board will conduct those
evidentiary hearings here locally and probably here in
this building.

So we're looking at those activities to start
in February. They will be to public observation, if you
wish to come in and sit in and see how this panel
operates.

So that concludes my discussion. I've talked
about the proposed project, how it fits into the fuel
cycle, talked about the status of our hearing process and
our new schedule. So now I'll turn it over to Anna.

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1 Thank you.

2 MS. BRADFORD: Good evening. My name is Anna
3 Bradford, and like Chip said, I'm the NRC Project Manager
4 for the environment review of this facility.

5 Along with Chip and Scott and Tim, we would
6 like to thank you for being here tonight and for
7 participating. Your input is very important to us, and
8 it's very important to this process.

9 Tonight I'm going to talk about the NRC's
10 environmental review process, the findings in the draft
11 environmental impact statement, and give you information
12 about how you can provide us with your comments.

13 The next two slides chronologically list the
14 steps of our environmental review process. The steps
15 shown in this slide have already been completed.

16 Like Tim said, in December 2003 the license
17 application was submitted by LES. Ever since that time
18 we've been doing an independent evaluation of the
19 information contained in that application.

20 We then published a notice of intent to prepare
21 an EIS in February 2004, and that described the general
22 scope of the draft EIS.

23 Then during the scoping period we came here to
24 New Mexico and had a public meeting in March and accepted
25 comments from the public on what you thought the draft EIS

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1 needed to cover.

2 In April 2004 we then issued a scoping summary
3 report which summarized all the comments we had received.
4 And the scoping summary report is also an appendix in the
5 draft EIS itself. All the comments we received during
6 scoping period were considered in the development of the
7 draft EIS which was published last month in September.

8 This next slide shows the steps that are still
9 remaining in the environmental review process. And I want
10 to emphasize these are just the steps for the environment
11 process. The application has many other processes it
12 needs to go through, such as the safety review.

13 As shown here, we are accepting public comments
14 on the draft EIS until November 6. You can give us public
15 comments here tonight, or you can mail, e-mail or fax
16 them. I will give you some contact information at the end
17 of my presentation.

18 We're estimating the final EIS will be
19 completed in June of 2005, and the final EIS will take
20 into account all of the comments that we receive during
21 this public comment period.

22 Lastly the NRC will use the EIS along with
23 other important information, like the safety review, to
24 decide whether or not we should issue a license to LES.

25 This slide shows all of the environmental areas

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1 that we analyzed in the EIS. We looked for impacts on
2 every one of these areas, including important concerns
3 like public health and water resources. It's a pretty
4 extensive list.

5 I want to talk for a minute about our
6 evaluation of the resource areas that I just showed you on
7 the previous slide. We looked at the possible impacts
8 from construction, operation, decommissioning and
9 accidents. When we say decommissioning, we're talking
10 about the decontamination and eventual release of the
11 facility.

12 Once the impacts were determined, we
13 categorized them as being either small, moderate, or
14 large. In a moment I'll explain those categories in a
15 little more detail.

16 It's important to note, too, that impacts can
17 be negative or positive. An example of a positive impact
18 would be the creation of jobs. And for the LES facility
19 no impacts were found to be large. In all cases we found
20 the impacts to be small to moderate.

21 The draft EIS also described mitigative
22 measures that LES could use. Mitigative measures are
23 those actions they could take to help decrease the
24 negative impact. For example, they could use fencing to
25 keep animals out of a construction area.

1 All of those resources areas are discussed in
2 detail in chapter 4 of the draft EIS. They're also
3 summarized in this handout we have here tonight, which is
4 a table.

5 If you take one thing home with you, this would
6 probably would be the best thing to take. It really
7 summarizes what we found in the draft EIS.

8 As I said earlier the impacts we categorized
9 into small, moderate or large. Definitions of those
10 categories are here.

11 Small impacts are those that are either not
12 detectable or so minor they would not affect any important
13 attribute of the resource. Moderate impacts are
14 noticeable but would not destabilize important attributes
15 of the resource. Large impacts would be clearly
16 noticeable and could destabilize the resource. But as I
17 said earlier, we did not find any large impacts for the
18 LES facility.

19 The resource areas listed here are estimated to
20 all receive small impacts during construction, operation
21 and decommissioning of the facility.

22 So the resource areas expected to experience
23 small impacts are land use, historical and cultural
24 resources, visual and scenic resources, air quality,
25 geology and soil, water resources, ecological resources,

1 environment justice and noise.
 2 I'd like to talk in detail about water
 3 resources for a moment. We analyzed impacts to water
 4 resources by looking at both water capacity and water
 5 quality, and we looked at both groundwater and surface
 6 water.
 7 There's no surface water present at the site.
 8 The first well defined source of groundwater is more than
 9 800 feet below the ground surface.
 10 The draft EIS found that impacts on the local
 11 water supply would be small, because there is excess
 12 capacity in the area, and the LES facility would use less
 13 than 1 percent of the available capacity in Eunice and
 14 Hobbs per day. In addition, no processed waters would be
 15 discharged from the site.
 16 During our analysis we found that four resource
 17 areas may experience larger impacts of the small-to-
 18 moderate category during some portion of the facility's
 19 lifetime but necessarily for the entire facility's
 20 lifetime. For example, an impact could be moderate during
 21 construction but then small during operations and
 22 decommissioning.
 23 And these areas are socio-economics,
 24 transportation, public and occupational health, and waste
 25 management. I'm going to talk about each of these four

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1 areas in detail on the next slides.
 2 Socio-economics includes a wide range of areas.
 3 We analyzed employment, population, housing, public
 4 services and finances. We found that employment would
 5 increase moderately because of the jobs that would be
 6 brought into the local area.
 7 We also found that the finances of the state
 8 and county would increase moderately because of the
 9 increased tax revenue they would be receiving.
 10 Finally we found that the impacts to population
 11 and housing as well as the increase in the demand for
 12 public services would be small because of the relatively
 13 small number of people we would expect to move into the
 14 area.
 15 Transportation: For transportation we analyzed
 16 routine traffic, which would include construction workers
 17 driving to work. We also looked at possible
 18 transportation accidents. We looked at truck and rail
 19 transportation of materials, although LES at this time is
 20 proposing to use only truck.
 21 And we analyzed both radiological impacts,
 22 which would include doses to the public as material is
 23 driven along local roads, and we also looked at
 24 non-radiological impacts which would include things like
 25 emissions from the tailpipes of the trucks.

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We found that the transportation impacts during operations and decommissioning would be small.

The two cases in which impacts may be small to moderate would be during construction, because of the increased traffic on Highway 234, and also if a possible accident occurred truck or rail shipment.

However, we also found that possibility of a transportation accident that would result in severe consequences is highly unlikely because of the regulations for shipping such material that help ensure the safety of those shipments.

As you know, LES will be handling radioactive material, so we do a careful assessment of any public health effects that could result. We look at workers at the facility as well as members of the public.

We found that for construction, normal operations, and decommissioning, the radiological health impacts would be small.

During operations it is estimated that the resident living nearest to the site would receive less than one millirem per year, and our regulatory standard is 100 millirem per year, so they would be receiving less than 1 percent of our regulatory dose limit.

It is estimated that the maximum dose to some types of workers at the facility would be about 300

millirem per year, and the regulatory dose limit for workers is 5,000 millirem per year. So they would be receiving about 6 percent of the regulatory dose limit.

The impacts from accidents were found to be from small to moderate, depending on the type of accident. Safety equipment at the facility makes a severe accident highly unlikely to occur.

I'd also like to talk in detail about waste management. The facility would generate both non-radiological waste, such as scrap lumber resulting from construction as well as radiological waste.

Some of this radioactive material would be depleted uranium, which would be stored onsite until it could be shipped offsite to another location.

We found that the impacts from the

non-radiological waste and most of the radiological waste would be small, because there's adequate capacity at the appropriate disposal locations for these types of waste.

The impacts from the source of depleted uranium is found to be small or moderate, because the waste could be stored onsite up the 30 years. This could result in an increase in the dose to the workers at the site.

You may remember in the first part of my

presentation I mentioned the public comment period. The public comment began when the draft EIS was published in

1 September, and it continues until November 6. So you can
2 provide us with your comments any time between now and
3 November 6.

4 All of the comments that we receive during the
5 public comment period, including the ones that you stand
6 up and make verbally tonight, will be considered by us
7 when you're developing the final EIS.

8 In addition, the comments we receive will be
9 included in the final EIS as an appendix, so you can see
10 how your comment was addressed.

11 There are several ways you can send us your
12 comments, given on this slide. By mail you can send them
13 to the address given here. If you like to use e-mail you
14 could send it to nrcrep@nrc.gov. If you'd like to fax,
15 you can use the number there, and put it to my attention.

16 Also I'd ask that you please write docket
17 number 70-3103 on your comments. This is the number we've
18 assigned to the facility, and it helps make sure that your
19 comment gets to the right staff member at the NRC.

20 Here we've listed the web pages you can go to
21 for information on the LES facility specifically, as well
22 as gas centrifuges, also information for a public document
23 room which has links to many useful documents related to
24 what we do.

25 Listed here are the NRC points of contact

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1 specifically for the project. For technical or safety
2 information associated with the proposed facility, please
3 contact Tim Johnson.

4 If you have questions on the environmental
5 review process, please feel free to contact me.

6 And that's it for my presentation. I thank you
7 for your time and attention, and we look forward to
8 hearing your comments and questions.

9 MR. CAMERON: Thank you very much, Anna. Thank
10 you all for your patience. We've covered a lot of ground
11 there.

12 We wanted to provide some time for questions on
13 any of this material before we get to the public comment
14 part.

15 Is there any question? Yes. Just please
16 introduce yourself. I think you're probably going to have
17 to speak pretty closely into the mike.

18 MS. FISHER: I'm Karen Fisher with New Mexico
19 Attorney General's office, and I wonder if the safety
20 evaluation report is subject to public comment in the same
21 manner that the EIS is subject to public comment.

22 MR. JOHNSON: At this stage we're not planning
23 a public comment process on a draft safety evaluation
24 report, but we are looking into having a public meeting to
25 talk about the safety review we publish it as a final

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1 document.

2 MR. CAMERON: Okay. Thank you very much, Tim.

3 On a related point that might be of interest to Karen,

4 could you talk about the technical meetings that we have

5 with the license applicant throughout the process. If you

6 didn't, can you just mention to people who they can tune

7 into those discussions.

8 MR. JOHNSON: We have a number of technical

9 meetings that we conduct with Louisiana Energy Services

10 when we need further clarification on a particular subject

11 or area.

12 We do notice those meetings. People are

13 allowed to come in and attend these meetings and observe

14 them. We can also set up phone lines, too, if you want to

15 join in or listen in.

16 We did try to do something with Lea County in

17 terms of setting up a videoconferencing application, but

18 we've had trouble technically with the compatibility of

19 our videoconferencing systems and the ones locally.

20 But if those can get solved, we'd like to try

21 to do that. But right now the technical issues are

22 preventing us from using that system that you have in the

23 county.

24 MR. CAMERON: And I believe that we're going to

25 also explore with the Eunice school system a technology

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1 that they have to provide that same type of process.

2 Thank you very much, Tim.

3 Other questions?

4 (No response.)

5 MR. CAMERON: Okay. Let's go to public

6 comments. We're going to go to some local officials.

7 We're going to ask Jim Ferland from LES to talk to us.

8 We're going to then go to some private citizens

9 who have some comments on the EIS. We have some educators

10 and some local government officials. So we're going to

11 try to mix it up a little bit.

12 It's great to see the enthusiasm of the people

13 who want to talk. But we're going to start with Mayor

14 Brown of Eunice.

15 Mayor, if you can come up with the podium where

16 you can use this.

17 MAYOR BROWN: First of all I would like to

18 welcome the NRC here tonight. This is the second or third

19 meeting for some of you all.

Comment
#066-1

20 I really appreciate the fact that you are

21 attending personally as opposed to sending an

22 administrative assistant or lower staff person to conduct

23 these meetings. It's important that the public feel like

24 they are involved in the process.

25 I would like to extend an invitation to you in

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1 any of your future meetings. We would be more than happy
2 to accommodate in any way we can.

3 Basically what I want to discuss tonight for a
4 little while is repetition of what has already been
5 presented by the NRC, but I would like to highlight some
6 things.

7 The NRC has basically determined -- or the
8 environmental impact statement that there is little
9 negative impact on land use, air quality, water resources,
10 public employee health and safety. In fact, the only
11 moderate impact that I recall as a positive impact, and t
12 hat is an increase in population and jobs.

13 For the last 20 years in Lea County and the
14 City of Eunice, the population and economy have all been
15 declining. Eunice actually has lost about a third of its
16 population in the last 20 years or so. And I think most
17 of the reason for that is our reliance on a single
18 industry. The oil industry has been good to us, but oil
19 is a depletable resource.

20 Over a period of time -- over the next 20 or 30
21 years, according to studies I have read, the oil industry
22 will no longer be able to drive our economy, which means
23 that we have to have companies like LES move into our area
24 to help diversify our economy.

25 There's a statement by the NRC staff in the

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1 environmental impact statement that I thoroughly agree
2 with. I'll paraphrase it, because my memory's not that
3 great.

4 But it's basically saying that unless there are
5 safety issues that mandate otherwise, that LES should be
6 licensed. I agree with that completely.

7 If there are safety issues that have to be
8 considered, and certainly they should be -- but we have
9 been in this process for about nine months now, and I
10 think very rapidly we'll be getting to the point where
11 opposition is just using stalling tactics. I would hope
12 the NRC would recognize that for what it is.

13 The more I think about the entire process, the
14 more I think it's a win-win situation for everybody.

15 The electric utilities, the power plants
16 provide about 20 percent of the area's electrical needs,
17 but they do so using the majority of their fuel from
18 foreign suppliers. So they will benefit definitely with
19 LES providing supply domestically.

20 LES obviously stands to benefit if it goes
21 through, because they will have a fixed number of users.
22 So they will benefit.

23 The companies that are going to be investing in
24 it -- Urenco and Westinghouse -- if the thing is
25 successful, they are definitely going to benefit.

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1 We are going to benefit. We'll have new jobs
 2 coming in. We'll have families moving into our community.
 3 I think we will benefit in every way we can imagine. I
 4 think our economy will have the tendency to turn around,
 5 and hopefully we will see some growth.

6 I would like to make one other comment before I
 7 turn the mike over to the next speaker, and that's about
 8 Jim Ferland and his staff.

9 I hope all of you have gotten to know these
 10 people. If you haven't, you need to do so. They are
 11 quality people. For those of you who do not know them, I
 12 would like to say that they are exactly the kind of people
 13 who I want to have building a uranium enrichment plant in
 14 our back yard.

15 Thank you.

16 MR. CAMERON: Thank you very much, Mayor Brown.
 17 I'd like to now go to Diane Ventura from

18 Senator Bingham's office. Diane?
 19 MS. VENTURA: Good evening. I represent, for
 20 the record, Jeff Bingham, US Senator, New Mexico.

21 I would like to say thank you to the NRC for
 22 being here today to listen to local residents discuss
 23 their views of the uranium processing facility.

24 It is the responsibility for NRC and the Atomic
 25 Safety Licensing Board to ensure that any proposed uranium

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1 processing plant will operate safely, securely, and with
 2 low environmental impact. Your presence here today
 3 demonstrates the NRC's commitment to its job.

4 As I've stated before, I am a supporter of the
 5 proposed facility because it will introduce competition in
 6 the domestic uranium fuel market which currently has only
 7 one supplier of enriched uranium fuel.

8 This project will also create high-technology
 9 economic growth in southeastern New Mexico.

10 But, as I've stated in the past and continue to
 11 believe it is imperative that any license that the NRC
 12 issues must guarantee that depleted uranium tails are
 13 removed from the state.

14 I urge LES to show its commitment to removing
 15 the tails by undertaking negotiations with the State of
 16 New Mexico to settle on a mutually beneficial plan to see
 17 that the tails are removed. It is in the best interest to
 18 LES and our state to come to such an agreement.

19 It is my understanding that LES's preferred
 20 route is to deconvert tails using a commercial facility
 21 rather than relying on DOE's facilities under construction
 22 in Paducah and Portsmouth. This appears to be a good
 23 option because it will give the needed flexibility without
 24 relying on the federal government.

25 If LES is moving in that direction, I encourage

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LES to meet with the DOE to discuss their lessons learned in designing and building such a plant.

Once again, thank you for being here today and for ensuring that the public's views on the proposed facility are heard and taken into consideration.

MR. CAMERON: Thank you, Diane. And thank you, too, Senator Bingaman.

We're going to go next to Bob Carter from Representative Pearce's office. Bob?

MR. CARTER: Thank you.

"Gentlemen and ladies, thanks for the invitation to you at today's meeting. I regret that I am unable to attend.

"From the onset after being elected to Congress, I have worked diligently to assist in any way

that I can to bring jobs to Lea County. I believe the National Enrichment Facility is vital to provide new jobs for our county and state. I am dedicated to continue to work and for the establish of the facility in our great state.

"We appreciate LES and the Nuclear Regulatory Commission for providing the opportunity for open discussions and a forum whereby people can express their opinion and concerns. If I or my staff can provide any additional information or assistance, we will continue to

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Comment #067-3 (cont.)

1-22

Comment #068-1

Comment #068-2

be available to serve you to the best of our ability.

"Again, thank you for inviting me to join you today. I want you to know how important you are to the State of New Mexico, and I hope to see you soon. Sincerely, Stevan Pearce."

I wear two hats. I represent the Lea County Improvement Corporation. Will the members of the board please stand. Harry Teague, Johnny Cole, Kathi Bearden and Bob Reid are all here.

It with great pleasure that we stand before you today to offer the assistance of the Lea County Improvement Corporation.

Our board has been involved since the onset of this project. We have continually monitored the process and attended meetings to listen intently to what's being said in relationship to safety concerns as well as job opportunities.

We applaud you for your openness and the fact that you, the Regulatory Commission, are here holding hearings and will allow people to the opportunity to voice their concerns and to express their opinions. We look forward to a continued relationship. We want you to know we support your efforts in establishing the National Enrichment Facility in Lea County. Signed, Bob Carter, Chairman.

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Comment #069-1

Comment #069-2

1 MR. CAMERON: Thank you very much, Bob, and
2 thank you, Congressman.
3 We're next going to go to Gay Kernan, who's a
4 state senator. Gay.

5 SENATOR KERNAN: Thank you, Mr. Chairman,
6 members of the Commission.

7 I'm here to offer my continued support for the
8 National Enrichment Facility.

9 It was just little over a year ago that I had
10 the opportunity to travel with elected officials and
11 community leaders to Almelo to see the plant. It was an
12 extremely informative trip and convinced me that an
13 enrichment facility could be safely operated in
14 southeastern New Mexico.

15 I'm pleased that the NRC has confirmed what I
16 believe to be true, that there will be little if any
17 impact on the environment and that it will be a positive
18 impact on our economy in Lea County.

19 I grew up in Lea County, and I lived here most
20 of my life. I would never support any program that is not
21 good for this area.

22 I continue to be concerned about our dependence
23 on foreign oil and believe that this facility will help
24 alleviate United States's dependence on others for sources
25 of energy.

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Comment
#002-5

1 I believe the NRC is doing a good job in
2 carefully evaluating this project and believe that all
3 questions and concerns will be answered as this process
4 continues.

5 Again I offer my support and encouragement and
6 I ask you to please grant Louisiana Energy Services their
7 license. Thank you.

8 MR. CAMERON: Thank you very much, Senator
9 Kernan.

10 We're going to two other mayors. Mayor
11 Claiborne from Jal.

12 MAYOR CLAIBORNE: I'm Clay Claiborne, mayor of
13 the City of Jal, and I'm pleased to have the opportunity

14 to reiterate that our community continues to give its
15 support to the LES project.

16 Our support was not given until we had done our
17 own environmental impact statement. When I was given the
18 opportunity to stand in a uranium enrichment facility
19 compound and watch the ducks swimming in a stream that ran
20 through the plant yard, watched cows graze along the fence
21 line, and visit with individuals who live with their
22 families around the perimeter, my study was complete.

Comment
#018-3

23 It was gratifying to find that the NRC
24 environmental impact statement confirms my findings.
25 Thank you.

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Comment #018-3 (cont.)

For those of you who still have questions, please be assured that there will be an impact on this area, a very, very positive impact. Our quality of life in this area is given but will be enriched by the opportunity that will be opening to us.

We appreciate your being concerned about those of us who live in this area. However I want to once again assure you that your concerns are unfounded. Thank you.

MR. CAMERON: Thank you very much, Mayor. Mayor Zap; Andrews, Texas.

Comment #072-1

I'd like to thank you for including Andrews in your thinking about the region. We would like to think that we don't just operate in Texas; we operate across the border and are part of your community and part of your area.

We considered this very long and hard at the time way back when WCS came into our area. We looked at what it would mean as far as safety is concerned.

Our community has strongly supported that project, and when we talked about this one, I feel that we also strongly support you in what you're doing.

The economic good that will be done has been mentioned many times, and we're hopeful that it will be far-reaching. And we hope maybe we'll get some crumbs from the table, maybe.

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We really appreciate what's happening here, what it means to the area. We live in an area where safety has been a big consideration for many years. The oilfield cannot operate without safety.

Comment #072-3

We watched what was being done and what is being done and are comfortable with what is happening. We made a study of our waters independent of many of the studies that were made.

The community paid for a study done by Texas Tech University in our area, and we are confident that there is no bad effect in this area.

As I say we looked at many, many things along with you, and we stand with you; we support you in what you're doing, and we're glad to be included in it. Thank you.

MR. CAMERON: Thank you very much, Mayor Zap. Next we're going to go to Jim Ferland, who's the president of Louisiana Energy Services. You already heard Mayor Brown refer to Jim and his staff. This is the license applicant, so we're going to hear a few words.

MR. FERLAND: Thank you, Mr. Chairman. I'm not going to take too long either tonight.

Comment #073-1

But nevertheless I want to thank NRC for coming to Eunice and thank you very much for doing what, in my view at least, is a very thorough and an independent look

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Comment

#073-1
(cont.)

1 at how this facility will impact the environment. So
2 thank you very much for doing that.

Comment 3
#073-2

4 Almost as important as thorough independent is
5 the fact that it was done in a timely manner. I'm sure
6 we're probably hear some more of that tonight. But that
7 is extremely important to us as well. So independent,
8 thorough and timely -- we at LES very much appreciate
9 that.

10 Just a note on the environmental impact
11 statement. LES has -- we've been here over a year now.
12 We made the announcement that we were coming here in
13 September of last year. Then we submitted the application
14 in December.

15 You, the citizens of Lea County, have many
16 times heard us say that this is a safe facility. We will
17 operate it safely, and we will ensure that we have a
18 minimal, small, or negligible impact on the environment.
19 You've heard us say that many, many times.

20 Some of you folks went to Almelo, and you've taken a look
21 at facility that we're going to build here.

22 But it still has to be very comforting to see
23 an independent, very competent, very thorough analysis of
24 the plant come to the same conclusion as to the
25 environment impact.

It makes us feel good. It provides the backup

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1 for you that you should be looking for. So, again, we
2 were very happy to not only see the environmental impact
3 statement or draft EIS come out early, but also to see
4 what it said.

5 Just a comment on that: We're in the draft
6 stage. The NRC says they're going to take public comment,
7 and they're looking to file a final environmental impact
8 statement in June of '05.

9 Now, just a note for you folks from is LES is
10 that's not the end of our thinking about the environment; it
11 that's just the beginning. You know, this facility, this
12 is a lifetime commitment to the environment that we're
13 embarking on here.

14 So we're not finished in January '05 when the
15 NRC concludes and puts out the final environmental impact
16 statement. That's just at the very beginning of LES's
17 commitment to the environment, to the health and safety of
18 the public, to the health and safety of our workers.

19 So I don't want anybody here to think that LES
20 is thinking all about the environment until next June and
21 then they're done. That's actually just the very, very
22 beginning of our commitment.

23 One other topic -- and I've heard a couple of
24 folks mention it tonight -- energy independence. We see
25 what's happened when the United States gets overly reliant

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1 on foreign sources for our energy. We see it every day
2 when we go to the gas pumps and when we read the
3 newspapers, and we see the impact of that on the stock
4 market and the economy.

5 If we take a look at electricity prices -- and
6 I've heard other folks say this -- 85 percent of the
7 enriched uranium that we burn in our power plant today
8 comes from overseas. We are susceptible to the same thing
9 is happening with oil on the fuel for our power plants.

10 And this facility will help to offset that risk
11 by providing a secure, domestic, competitive source for
12 enrichment for the electricity that we use every day in
13 addition to the gasoline and the other items.

14 So I just wanted to make that note and thank
15 everybody in the audience for coming out. We very
16 appreciate the fact that we're taking your time and that
17 you're giving your time to come to meetings like this. I
18 very much appreciate your time and support. Thank you.

19 MR. CAMERON: Thank you very much.
20 We'll go next to Kathi Bearden on the board of
21 the Economic Development Corporation.

22 MS. BEARDEN: Mr. Chairman, Commissioners. I'm
23 Kathi Bearden, president of the Economic Development
24 Corporation in Lea County. Thank you for the opportunity
25 to speak tonight and welcome NRC to Lea County.

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Comment
#074-1

1 We are thrilled at EDC to see the draft
2 environmental impact statement that was released September
3rd. The draft EIS determined that there will be minimal
4 environment impact on this region and of course a positive
5 socio-economic impact.

6 The draft recommends proposed license be issued
7 unless safety issues mandate otherwise. And for that we
8 are excited and pleased.

9 The draft concluded that this project would
10 help form energy independence for America, as well as have
11 small impact on land use, air quality, water usage,
12 ecological resources, environment, if an accident does
13 occur, and radiological exposures. All these are things
14 that all the citizens in this part of the country have
15 concerns about.

16 Additionally the EDC of Lea County have entered
17 into discussions with LES as well as other interested
18 parties, including local, state and federal legislators
19 and elected officials about a deconversion plant. We
20 anticipate a solution to this matter in the very near
21 future.

22 Interest in this project has not waned. The
23 communities in Lea County and our neighbors in West Texas
24 continue to be optimistic about the advantages of the 400
25 construction jobs, the \$170 million payroll during

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1 construction, the 210 permanent jobs, and LES's commitment
2 to buy goods and services locally.

3 But as we've said before in other meetings,
4 more important to us as citizens in Lea County and West
5 Texas is the fact that this facility will enable the
6 United States to have a domestic source of enriched
7 uranium for the country's commercial nuclear power plants
8 and will allow energy independence for America in a safe
9 manner.

10 Thank you again for coming to Lea County and
11 allowing all our citizens to have a voice in this
12 procedure.

13 MR. CAMERON: Thank you, Kathi.

14 Next we're going to go to Dennis Holmberg, Lea
15 County manager.

16 MR. HOLMBERG: I'm Dennis Holmberg, the Lea
17 County manager. I work with the Water Industries
18 Association and am very thankful that you found what we
19 think was true all along, that there will be very little
20 impact to the water supply.

21 In reading through the draft, I wanted to point
22 out one thing, that any references have been to the water
23 plant addressed only a small component of supply and
24 demand.

25 There's another large component of it that

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Comment 1
#075-1
(cont.)

2 talks about the alternative sources of water all of us are
3 considered on a daily basis. And so instead of little
4 impact, it may have no impact at all. If you go back to
5 your revisit that report -- I think Chapter 8, the water
6 plan -- it talks about the alternative sources, including
7 conservation, water rate structure, development of deep
8 aquifers, treatment and use of lower-quality water,
9 imported water, aquifer recharge, weather modification,
10 interstate alternatives, groundwater flow modeling, and
11 the water monitoring program.

12 Many of those not only were part of the plan
13 that have already been implemented by the various
14 municipalities and counties, and so that would maybe even
15 help mitigate the issue of any small water questions that
16 you have with the draft. Thank you.

17 MR. CAMERON: Thank you for that information,
18 Dennis.

19 Now we're going to go to Lee Cheney and then to
20 Rose Gardner.

21 MR. CHENEY: Thank you. My name's Lee Cheney;
22 I'm from Hobbs, and I originally just had one simple
23 question to ask the NRC.

24 But before I start, I would like to ask Jim
25 Ferland if he could tell me what percentage of LES is
owned by Ureenco.

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MR. CAMERON: Okay. Jim, is this an NRC meeting, and I know there's lots of information you want to get from the license applicant. I don't want to turn it into a different type of meeting but, Jim, is that something that you can --

MR. FERLAND: 75.5.

MR. CAMERON: 75.5. All right.

Lee, let's go back to you.

MR. CHENEY: Thank you for much for that information. The reason I ask that question about the percentage ownership of Urenco in LES is because of the question of problems that we're having with foreign ownership -- United States independent.

That takes me to my question. Will the NRC allow the New Mexico Attorney General and the New Mexico Environment Department to participate in the LES hearing on the important issue of terrorism, national security, LES financial qualifications and waste disposal?
One of the concerns that I have that I hope the state will be allowed to consider -- that the NRC will allow the state to consider in this hearing is the foreign ownership of LES and their responsibility, because if LES goes bankrupt, these foreign companies -- and Urenco's owned by England, France and Germany -- their responsibility for cleanup, for all these things, it's my

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Comment #031-4 (cont.)

understanding they would have none.
They could just simply walk away from it. The taxpayers would be stuck with it. These are issues that the State of New Mexico is being denied the opportunity to have considered in this hearing process as I understand it.

MR. CAMERON: Thank you very much, Lee. And as both Scott Flanders and Tim Johnson from the NRC pointed out, we are in the formal hearing stage, and some of the decisions have been made by the NRC licensing board on what issues are going to be considered. Some of them have been appealed to the Commission.

And there's also the -- on the additional point we do have participation from the New Mexico Attorney General and New Mexico Environment Department.

There's an issue there that's in front of the Commission about what the extent of the participation of those two groups can be on issues raised by other parties in the proceeding. I would like to ask Scott or Jim perhaps to address the concern that you had about financial assurance and bankruptcy.

Tim, is it possible for you to just give us an overview of what the financial assurance requirements are?
MR. JOHNSON: One of our regulatory requirements for getting a license for this type of

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1 facility is the applicant has to provide what we call a
2 decommissioning funding plan.

3 This consists of a cost estimate for
4 decommissioning the facility as well as a financial
5 mechanism to provide those funds in the event that the
6 licensee ultimately is unable to deal with
7 decommissioning.

8 Financial mechanisms that would be allowed
9 would be things like letters of credit, surety bonds,
10 trust accounts -- prepaid trust accounts and so on.

11 What LES has done is they have provided a cost
12 estimate for decommissioning. It includes the cost for
13 dispositioning the depleted uranium that will be generated
14 at the facility. They propose to use a surety bond as a
15 mechanism for providing those funds.

16 The surety bond is set up so that if, for
17 example, LES goes bankrupt, the funds are separated from
18 the Louisiana Energy Services, and the beneficiary comes
19 out of a standby trust in which the NRC can direct its
20 expenditure and ultimately the decommissioning of the
21 facility, if that is needed.

22 MR. CAMERON: I guess that one of the
23 objectives is to make sure that there are funds available
24 even if there isn't bankruptcy.

25 MR. JOHNSON: One of the key aspects of our

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1 review is to review this decommissioning funding plan to
2 make sure that estimates are reasonable.

3 Also a part of this is that at least every
4 years that estimate would be updated to account for
5 escalation, changes in the facility, et cetera, so that
6 this is an ongoing process to keep the amount suitable for
7 any decommissioning needs that might come during the
8 facility lifetime.

9 MR. CAMERON: Okay. Thank you very much, Tim.

10 Lee, we do have your question on the record for
11 those particular issues, and perhaps we can go through
12 them with you after the meeting or sometime in terms of
13 what was raised and how they were have been disposed and
14 what is still pending.

15 This is Rose Gardner.

16 MS. GARDNER: I'd like to welcome everyone and
17 the NRC Commission to the meeting this evening.

18 This is the second time I've spoken regarding
19 these topics. Even though there's a lot that I'd like to
20 say, I couldn't get it all on one sheet of paper.

21 Throughout the whole document there are
22 statements made regarding the construction, operation of
23 decommissioning of the National Enrichment Facility.

24 Although the report does summarize the effects of the
25 different phases of the plant and according to the NRC the

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impacts of the operations of construction and decommissioning would have a small impact on the environment, I found that all one has to do easily look at the subject and find the summary following.

In many of the different situations involving information many references are made to the properties of the UF-6, uranium hexafluoride, the feed gas, as well as the depleted uranium waste byproduct.

In all occurrences involving accidental release of the UF-6, I find dangerous situations arise. A ruptured container can cause death and excessive radioactive materials are released to the air and surrounding environment.

What would happen if at some point all 15,727 containers ruptured due to a possible terrorist attack? This is an item not covered under the EIS. This is a state and national security issue.

Who will address this and give a reply as to the consequence of such a thing happening? Does this fall under safety and security, which is identified as being outside the scope of EIS and NRC? What about the disposition of the waste?

The viable options are discussed. Unfortunately nothing is solid or contingent upon completion of this plant.

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Where is the proof that the waste will be gone? I heard all the politicians say the governor wants the waste gone. The final disposition has only been in outlines as possible options available. No contract means no guarantee.

The State of New Mexico Environment Department and Attorney General's Office is being left out of the legal process, and this is concerning to me. The two state government entities should file contentions that should be addressed during NRC hearing starting 2005, yet appears though nothing is happening yet.

The Governor of New Mexico has requested the admittance of the two offices, but it looks like the governor has no real say in this matter. This is very serious, and we in those community will be lacking support if they are not admitted as important interested parties to this process.

Who will assure us that the waste is removed as soon as possible? Who will stand up for Eunice? Our city government should be asking these same questions. Why aren't they?

Who will protect us with the necessary laws in place should something like environmental contamination or death occur?

The water issue is still a concern as well. We

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Comment #032-7

Comment #032-8

Comment #032-9

1 know that communities in New Mexico are adopting water
2 conservation policies required to be in place by next
3 year.

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**Comment
#032-10**

We know our 40-year water plan indicated a possible shortage of water within 40 years, and yet we will allow this plant to use all the water they need and want. And then at some point a possible deconversion plant may be built, and that plant will use our water as well.

When will our needs be considered for the 40-year plan? My community still has much work to do. According to the water study, engineers recommended that new water holes be drilled and water conservation be addressed. Water is an important and crucial part of our future here at Eunice, and I'm very concerned that this is not being taken seriously.

**Comment
#032-49**

Other issues that concern me are in the scoping summary report and are identified as being outside the scope of this environmental impact statement drafted by the NRC, but I do intend to submit written comments in addition to these.

**Comment
#032-11**

I personally do not support this project. I do not believe that this facility should be constructed in Eunice.

Our community already has more than its share

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**Comment
#032-11
(cont.)**

of high-risk and polluting industries with the oil and gas industry. I hasten to say that they are my bread and butter. So it's not the oil and gas industry I'm against; it's the radioactive waste and emissions.

**Comment
#032-12**

We have more than our fair share of cancer. And in this draft environmental impact statement there are constant references to latent cancer fatalities. Excessive exposure to radioactive emissions and waste cannot be good for anyone. Why must the community of Eunice be the one to suffer the ill effects which are bound to occur, and the surrounding areas will profit by our misery?

I live here, and I intend to be here a long time if God is willing. I ask you, as Christian brothers and sisters, would you want this done to you?

I would not want for anyone regardless of the monetary profit potential. It is an unhealthy environment that you supporters of this project are wanting to subject the community of Eunice to, and I will vigorously oppose the planning of this plant.

I am a member of Public Citizen and Nuclear Information Resources Services and am very glad that most of our contingents were admitted by the NRC. We will have our day in court, and at the end of the day who knows what might happen?

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1 I'd like to extend a personal invitation to the
2 New Mexico Attorney General's office and Environment
3 Department to join us in our contentions, which have a lot
4 of similarities. We just want the answers. We want
5 safety. We want good things for this community.

6
7 **Comment**
8 **#032-13**

9 I request that the Nuclear Regulatory
10 Commission deny the license application for Urenco,
11 Louisiana Energy Services' National Enrichment Facility.
12 Thank you.

13 MR. CAMERON: Thank you very much, Rose. Do
14 you want us to attach those two pages?

15 MS. GARDNER: I already left a copy with you.

16 MR. CAMERON: All right. Thank you very much.
17 We're going to go to some educators now. The
18 first person is the superintendent, Toni Trujillo. Toni?

19 SUPERINTENDENT TRUJILLO: I'm sorry I was a
20 little late to the meeting. We had another extremely
21 important meeting this evening -- the Jal/Eunice
22 volleyball match. I had to leave, so I don't know who's
23 winning. So we apologize for that.

24 Next time you are here, or any other state
25 regulators, we're hoping you can come to our community,
26 maybe see one of our games. So we'd like to extend that
27 invitation.

28 I want to express my thanks and appreciation to

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1 the members from the Nuclear Regulatory Commission.
2 Throughout this process you have kept the citizens of Lea
3 County informed about the permit process and have provided
4 numerous opportunities for public comment.

5 A copy of the draft environmental impact
6 statement was provided by the NRC. Because of the
7 document's organization format -- as an educator I also
8 have to comment on language usage -- I was able to
9 understand the report, and I'm not a scientist nor an
10 engineer.

11 The definitions regarding the degree of impact
12 were very helpful and were written using a minimum or
13 jargon. I think that's very important for an informed
14 public.

15
16 **Comment**
17 **#007-4**

18 I continue to support the National Enrichment
19 Facility, and I continue to support the federal and state
20 regulatory approval procedures. In this case private
21 industry and governmental entities have worked together to
22 ensure a safe and prosperous future for Lea County.

23 Tonight I just have one request. The next time
24 you come to Eunice I would like to invite you to meet with
25 our students and explain the permit approval process, not
26 take sides, as you're not doing, neither pro nor con, but
27 explain this process to them, because this is a wonderful,
28 I think, example of our democracy in action. I encourage

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1 you to do that. You are invited to meet with our
2 students.

3 We now have many students engaged in an applied
4 physics course. I think they would understand what's
5 going on. Also we have a new internet class entitled, an
6 Introduction to Nuclear Energy. So the next time you're
7 here we certainly want you to have that invitation and
8 provide some time for you to meet with our students.

9 Again, thank you for your diligence and
10 professional behavior. Thank you.

11 MR. CAMERON: Thank you very much, Toni. I'm
12 just going to make a note of that request for the week,
13 just to make sure that we respond to that. I'm going to
14 go to the opponents, I guess, the Lady Panthers.
15 Rick Ferguson.

16 MR. FERGUSON: Welcome again to Eunice. Of
17 course we'd like you to come on back to Jal.

18 It's great news to hear what you had to say as
19 far as the environmental impact study; it was what we was
20 expecting, but it was still good to hear that again.

21 Toni had to change clothes tonight. When she
22 was at the ball game, she was wearing her Jal Panther
23 shirt; I don't know why she changed. She really looked
24 good in blue, but you can ask her about that.

Comment 25
#076-1
We're excited about the possibility of having

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Comment 1
#076-1
(cont.)

2 LES as a neighbor. Any jobs that we can get down in Jal
3 certainly will be welcome. We want employment
4 opportunities for our students that are graduating, for
5 the people who are in Jal.

6 Mayor Brown talked about Eunice, as far as the
7 population dwindling by a third over the last 20 years.
8 Ours has probably dwindled more than that over last 20
9 years. Any job or employment in a safe environment that
10 we can offer to our citizens of course is welcome.

11 I certainly appreciate again that we do live in
12 an environment in a country where we have places where
13 people like you working for the NRC freely can come down
14 and help us to know that this really is a safe type of
15 environment to work in.

16 Again, I'm looking forward to having LES as a
17 neighbor. I think you're going to bring some good
18 opportunities to us. I was wondering if there was one
19 other thing you can do is -- you know, any extra revenue
20 that Eunice schools bring in because of that, could you
21 make sure that every school district south --
(General laughter.)

22 MR. CAMERON: Okay. Thank you.
23 Next we're going to go to Gene Strickland from
24 Eunice High School. Gene?

Comment 25
#077-1
MR. STRICKLAND: First I want to thank NRC for

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Comment #077-1 (cont.)

doing such a superb job in providing a model for our students in what the proper process is in investigating something that will have a huge impact on our students.

I know you guys have a process for conducting your environmental impact statement, and I'd like to attach another acronym to that, educational impact statement.

I believe as an educator that this is going to provide huge opportunities for our students' education. This is an example here tonight the opportunity this provides for my students.

And I know I speak for all the educators in the room the benefits that go on to our students. So we appreciate LES. I continue to support them, and I appreciate you guys. Thanks.

MR. CAMERON: Thank you very much.

And we're going to go to one other educator, Steve McCleery from New Mexico Junior College. And then there's a statement that we'll read from a senator.

MR. McCLEERY: Mr. Chairman, Ms. Bradford, Mr. Smith. Thank you for coming to Lea County.

Comment #026-2

Number one, we appreciate the process that affords people to speak on both sides of the issue. I think that's extremely important.

In terms of the environmental impact statement,

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the issues in there -- small to moderate -- would be issues that might raise a question; however, I think that those issues that are small to moderate have a lot to do with what we in Lea County can provide.

You looked at the transportation issue. You looked at the accident issue, specifically with the operation of the plant facility in terms of providing a trained workforce. All of those issues play out in regard to those small to moderate impacts as you at least cited.

I'll tell you that I'm very confident in terms of we in Lea County can do. This is an opportunity for us to partner with what we think will be a very good company, LES.

But those partnerships run, I think, up and down Lea County. If you look at our emergency response abilities in Lea County, I think they are far and above what you would find in many counties our size.

Comment #026-5

If you look at the training that they are performing right now, if you look at the fact that we live in an area that causes them to constantly train in terms of the oilfield, in terms of the work facility, in terms of the WCS, I think that infrastructure piece is there. I think it's solid, and I think it addresses that small to moderate impact.

IN terms of the other issues, I think most of

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1 those that you would find in terms of what you did -- and.
2 I think you did the due diligence.

3 You asked us to comment; you took our
4 questions. You took those questions very seriously. You
5 went back. You did the due diligence. You turned the
6 paper. You looked, and you looked.

7 One of the issues in regards to that, though,

8 is the operation of this facility. Prior to the
9 announcement of LES coming Lea County, on their own they
10 met with officials from New Mexico Junior College, and
11 that's who I represent tonight, and I have to be present
12 at their beck and call
13 We sat with them. One of the first concerns
14 that they had was they wanted to make sure that the
15 training that we provide -- meaning LES provides -- in
16 conjunction with other schools -- New Mexico Junior
17 College, College of the Southwest -- is second to none.

18 We want to turn all of the stones; we want to
19 look under every corner. We want to provide that
20 training.

21 We've employed an engineer who has a master's
22 degree -- has a baccalaureate degree and a master's degree
23 from the New Mexico Institute of Mining and Technology, a
24 brilliant young man.

25 He's been ramping up; he's been providing, if

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Comment
#026-3

1 you will, a conduit to LES. We've met with the LES staff
2 on numerous occasions to talk about the training issues,
3 because the small to moderate concerns would be mitigated
4 if indeed Lea County steps up to the plate and provides
5 the training and provides the support services through the
6 infrastructure and the emergency response.

7 That's what we're planning for, and it's all of
8 Lea County. It's from the south end, from Jal, all the
9 way to the north end in Taylor.

10 I would say to you that our dealings with LES
11 have been absolutely phenomenal. They've been on our
12 campuses up and down Lea County. They've fully disclosed
13 to our students. They've met with our students.

14 They continue to press the issue. We want to
15 make sure that Lea County is ready. I'm here today to
16 congratulate you on what I think is an outstanding
17 environmental impact statement. I know it's a draft, but
18 also in the process. I think the process is very good.

19 I can tell you that I think as a county from
20 one end to the other that we're ready for this facility.
21 Thank you for coming to Lea County.

22 MR. CAMERON: Thank you very much.

23 We do have that statement from Senator Lavelle
24 that Kim Fulfer is going to read to us. Kim?

25 MS. FULFER: My father is Senator Carroll

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Comment
#026-3
(cont.)

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1 Lavelle. He is the senator for Eddy and Lea Counties. He
2 was unable to be here tonight. He said he was sorry he
3 couldn't be here.

4 **Comment**
5 **#022-2**

6 He does write, "I'm writing again in support of
7 Louisiana Energy Services' effort to obtain a license from
8 Nuclear Regulatory Commission for the proposed National
9 Enrichment Facility outside Eunice, New Mexico.

10 "Lea County is very excited about the NEF. The
11 oil and gas industry has supported Lea County and the
12 State of New Mexico for over 75 years. My constituents
13 know the pitfalls of the economic swing in oil and gas.
14 It is time to diversify. The draft environmental impact
15 statement was very positive for the NEF. I am glad the
16 report found what I already knew.

17 "The NEF will have a minimal environmental
18 impact on this region and a very positive socio-economic,
19 particularly with respect to jobs and revenue added to the
20 local economy.

21 "LES has shown itself to be a good corporate
22 citizen by contributing to local organizations that
benefit the people of southeaster New Mexico, as well as
always keeping us informed and educated about the process.

23 **Comment**
24 **#022-3**

25 "The draft EIS just confirms NEF is really a
safe, environmentally sound project. I support the NEF
and hope their licensing process continues to go smoothly,

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1 so we in Lea County can begin making plans for the future
2 that would include the NEF. Sincerely, Carroll Lavelle."

3 **Comment**
4 **#100-1**

5 On a personal level I also support them. My
6 husband and I have raised our family here. We both have
7 businesses here.

8 We feel like the oil and gas economy has been
9 very good to our family. But we do feel like it is time
10 to diversify. We don't want to go through another oil and
11 gas crunch and wonder what we're going to do next.

12 **Comment**
13 **#100-2**

14 This is a great way to bring economy back to
15 this area also. I appreciate your being here.

16 MR. CAMERON: Thank you very much, Kim. Thank
17 your father for the comments.

18 We have a number of elected officials, county
19 commissioners and city councils, city commissioners that
20 we're going to go to next.

21 We're going to start with the Lea County
22 commissioners and start with Harry Teague and then go to
23 Darrold Stephenson and Gary Schubert.

24 Harry, do you want to come up?

25 CHAIRMAN TEAGUE: Hello everyone. I'm Harry

Teague, the chairman of the Lea County Commission.

The first thing I want to do is I want to thank
the NRC for coming to Lea County and to Eunice. Thank you
and thank your staff.

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I know it's a lot of effort and a lot of trouble to get everything that you need transported 2,000 miles and have a meeting, but we definitely thank you for coming.

Going back prior to the time that you accepted the application from LES, there's been some people that have made comments about your impartiality, your qualification, and your integrity.

I want you to know that that's not the case of me or any of the people from Lea County. We have the utmost respect for your qualifications and your impartiality and your integrity.

I know that several of you have spent your adult life preparing for the opportunity to work on a permit like this.

The people of Lea County appreciate you. We're the people that most impacted by the National Enrichment Facility, not the people in Washington or Sante Fe or Albuquerque.

Every community in Lea County is presented here tonight, along with Roswell, Carlsbad; Andrews and Kermit, Texas. It's not just Eunice; it's not just Lea County. It's the whole area that wants this. We want it for the economic impact that it has for our county and our area.

We want to thank you for your thorough analysis

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and detailed review of the environment impact in verifying to us that this is indeed a truly safe facility.

I see that some people are talking again and trying to scare us that the plant will have dangerous to the national security and to our personal safety.

I think that's scare tactics. It's a false accusation. LES is bringing jobs and sophisticated technology and help for our US electrical industry into this country.

And everybody here that's -- this is an energy county; it's an energy state: \$50 oil, \$8 gas. Our electric industry needs some help, some relief. Our citizens will need some shortly.

There will be nothing in this facility for anyone to steal, and there will be high security. They will be enriching uranium to 5 percent, not to the 95 percent necessary for weapons. They will not be able to do that even if someone wanted to.

We've looked at this, and we've visited their facility in Europe, and we've done independent research and thinking. We're confident in LES.

Now, the independent research that I did is I visited with the neighbors of the plant in Alamo. The grass is green; the trees are green. The people bring their families to picnic across the fence from the

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Comment #005-3 (cont.)

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Comment #005-2

Comment #005-3

1 facility.
 2 That's the checking that I did. I don't have a
 3 scientific degree to check it the way the NRC is for us.
 4 But I can assure you that it's safe.
 5 Another thing I'd like to say, on a personal
 6 note, today's my 35th wedding anniversary. I invited my
 7 wife to come to this meeting for our anniversary. We've
 8 never went to an NRC meeting on our anniversary, and she
 9 refused.

10 (General laughter.)

11 CHAIRMAN TEAGUE: But she and I have been
 12 married in Lea County -- we were married in Lea County.
 13 We've been married and lived here for 35 years. I still
 14 love her after 35 years.

15 I have a son and a daughter, and I love them.
 16 I've even learned to love my son-in-law and daughter-
 17 in-law. I have five beautiful grandchildren, and I love
 18 all of them. I wouldn't ask this plant to come here if I
 19 thought it would endanger them.

20 I also have 110 or -15 employees that live in
 21 every community in Lea County, with the exception of
 22 Tatum. I know them. I know their wives, and I know their
 23 children. I know them by name, not by numbers. I
 24 wouldn't bring this plant here if I thought it would harm
 25 them either.

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1 Thank you for coming tonight.

2 MR. CAMERON: Thank you very much, Chairman
 3 Teague, and I guess happy anniversary.

4 Darrold?

5 MR. STEPHENSON: Well, I'd like to voice my
 6 support for the construction of LES's proposed uranium
 7 enrichment facility to be built in Eunice, New Mexico.

8 I speak for myself as a citizen of Lea County and as a Lea
 9 County commissioner.

10 After visiting the model facility in The
 11 Netherlands and talking to the LES management team, I know
 12 the NEF will be safe and it will be good for New Mexico.
 13 Further, it will be good for our country.

14 The draft environmental impact statement was
 15 very positive. Thank you, Tim. I'm glad NEF will have
 16 large negative impact on our local resources.

17 I am also very excited about the boost to our
 18 local economy that the NEF will bring. We certainly need
 19 a more diversified economy and new jobs. The NEF will
 20 achieve both of these.

21 After reviewing the draft EIS, I firmly believe
 22 that the NEF will both safe and environmentally sound for
 23 the citizens of Lea County.

24 I look forward to welcoming LES as a permanent
 25 part of our community and encourage you to approve their

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1 license application quickly.

2 MR. CAMERON: Thank you, Mr. Stephenson.

3 Gary Schubert?

4 COMMISSIONER SCHUBERT: Members of the

5 Commission, welcome to Lea County. I'm delighted to have

6 you here. I'm Gary Schubert, and I'm the County

7 Commissioner from District 3, which basically comprises of

8 Hobbs.

9 I've had the privilege of serving on the Lea

10 County Commission since January 2003. I believe that it

11 was in March 2003 when this concept of having LES build

12 this facility came to the County Commission. So basically

13 I've been involved with this from the beginning.

14 The County Commission has put considerable

15 efforts and time since that day into this project. We

16 have explored the possibility of building this facility

17 very thoroughly. I think we've done our due diligence.

18 I've had to the opportunity to participate in

19 the implementation of this project regarding the

20 governmental and things, and I want to tell you that LES

21 has been very reputable, very generous, very much above

22 board. I have come to know and to trust them.

23 In every way that we have participated, they've

24 gone above and beyond what I feel like their obligations

25 were.

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Comment
#078-1

1 You've heard a lot about the economic impact . . .

2 and what the facility will mean to us, and I don't want to

3 be redundant; I want to tell you that they've got me

4 convinced.

5 I'm here in Lea County. I've lived here 27

6 years; I'm raising a family here. I'm intending to stay

7 here and complete raising my family here. And that's as

8 good a testimony as I know to say towards my trust in them

9 in implementing this facility. Thank you.

10 MR. CAMERON: Thank you, Commissioner.

11 We going to now go to Mary Fuller. Is Mary

12 here? The next person is David who has the same last name

13 as Toni. Do we know who we're talking about. Is David

14 here? Mary Fuller?

15 MS. FULLER: My name is Mary Fuller, and I've

16 lived in the City of Eunice for 14 years. I've raised my

17 family here. I look for a local company, and I'm on the

18 City Council.

19 I'd like to thank the NRC Committee for their

20 draft EIS. We've got a copy of it in the mail a couple of

21 weeks ago. It looks like you spent a lot time working on

22 it.

23 In April I met with a group of people in Almelo

24 to visit the enrichment plant over there. Unescorted by

25 anybody, we walked around the town and talked to the

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1 people that live there, that share a fence line with the
2 enrichment plant. Everybody in Almelo is just happy to
3 have them as a neighbor. Their enrichment plant is not
4 five or six miles out of town; theirs is right in the
5 middle of Almelo.

6
7 *Comment*
8 *#020-2*

9 There's been no accidents. They supply good-
10 paying jobs to the community. They're good members of the
11 community. I think personally that they would be good for
12 our community.

13 I think a lot of what I would say is just
14 reiterating what everybody has said, that I look forward
15 to the day when they start building the plant outside of
16 Eunice. That's all I can say.

17 MR. CAMERON: Thank you, Mary.

18 We're going to go to Hector Ramirez, and then
19 Robert Wallach and Ray Betzen. Hector?

20 MR. RAMIREZ: Good evening. Thank you for
21 coming to Lea County. Thank you for all your time and
22 effort.

23 I'd like to say thank you to LES to give me an
24 opportunity to go over there. It was a great honor for
25 me.

I asked a lot of questions. And I remember one
question that I asked one of the farmers over there. I
said, man, what's the average of the person who live in

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1 this community. And she said 92 on the ladies and 85 on
2 the men.

3 She said, how about America? I said 45 and 37.
4 Then she said we last a long time; not kidding, 85, maybe
5 75.

6 I'd like to say I've been in Hobbs for 44
7 years. This community has been great. This is a great
8 opportunity. You know, I don't know how to express myself
9 to tell you people what we got coming to this community.

10 I'm so excited that my son is going to study
11 something else, and we can open a furniture store, because
12 we see that he's going to make a difference in the
13 community for the quality of life for everybody in this
14 community.

15 My district is one of the poor districts in
16 Hobbs. We're trying to be part of it that we're real
17 excited.

18 You know, I'm telling these people, Go up to
19 the Junior College and be prepared to get a job for
20 \$60,000 a year. That's going to make a lot of difference
21 for a lot of people in this community. I wish I was 35
22 years old, but I'm too late.

23 *Comment*
24 *#079-1*

25 But I'd like to say thank you, and I welcome
LES with open arms. We've got some truly honest people
coming to live here. Thank you.

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1 MR. CAMERON: Thank you, Mr. Ramirez.
 2 Mr. Wallach.
 3 MR. WALLACH: First of all the mayor of Hobbs
 4 couldn't be here tonight. I feel like I need to defend
 5 Hobbs, because there's been some property grabs here about
 6 the city of Jal and a few others.
 7 So on behalf of the mayor of Hobbs and the City
 8 of Hobbs, we want to welcome you back to Lea County. We
 9 appreciate your being here.

10 I feel like we're all up here just repeating
 11 ourselves, so I'm going to take just a second. My family
 12 has lived in Eunice and Lea County for over 70 years. My
 13 grandparents both their family back in the mid-'30s.

14 I'm just like everybody else. You know, we
 15 need the jobs. Economically we need the stimulation; we
 16 need the diversification. But we want to be sure that
 17 we're going to have a good partner to do that with, and a
 18 safe partner to do that with.

19 *Comment*
 20 #080-2
 21 The comfort that I get in making that decision
 22 and giving my support is first of all you guys involved in
 23 that process. I have a lot of confidence in that.

24 Second of all, it's Mary Fuller's testimony on
 25 the trip to Almelo, and everybody else, but hers was so
 eloquent. I mean, you hear their stories about the
 development that's gone around on around the facility and

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1 what the citizens think of their involvement in the
 2 community. That give me some comfort.

3 The third thing is Jim Ferland and his staff.
 4 You know, they've been very forthright; they've
 5 communicated the way they've needed to, and that's very
 6 important in this process. So we appreciate that.

7 The last thing I want to say is my family has
 8 been here for 70 years, and so I'm very proud that our
 9 community has an opportunity to be a part of something
 10 that's so important to the country. Thank you.

11 MR. CAMERON: Thank you very much.

12 Mr. Betzen. Ray Betzen.

13 MR. BETZEN: I haven't been married 35 years,
 14 but I might be by the time this meeting is over.
 15 (General laughter.)

16 MR. BETZEN: Commissioners, the Hobbs City
 17 Commission has passed three separate resolutions
 18 supporting LES locating in Lea County.

19 *Comment*
 20 #081-1
 21 After seeing that the draft environmental
 22 impact study finds that there will be minimum negative
 23 impact to the environment and a positive socio-economic
 24 impact on our county, we will continue to support LES
 25 locating in Lea County. Thank you very much.

MR. CAMERON: Thank you, Ray.

Next we're going to ask Mr. Johnny Cope.

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1 Johnny?

2 MR. COPE: Ladies and gentlemen of the NRC,

3 thank you for being here tonight.

4 A little history about how LES came to Lea

5 County. Actually, they did not -- it was a group of

6 businessmen that first saw the opportunity that we might

7 try to do economic development, and so the facts are that

8 we solicited LES to come to see if our community might fit

9 the profile for a uranium enrichment plant.

10 And we have been so fortunate to interact with

11 Jim Ferland and Marshal Cohen, about the honesty about

12 what a facility such as this will do for our state and our

13 county.

14 I was one of the fortunate people to be able to

15 go to Almelo. Certainly as leadership of this community

16 felt, it's very important for us to ask all the safety

17 concerns that there is along with this plan.

18 *Comment*

19 *#082-1*

20 I'm very pleased with your EIS report. It's

21 just exactly what I thought it would be, that's it low to

22 very moderate impact to our environment. So thank you for

23 the due diligence that you're doing.

24 The second thing that I'd like to say is I'm

25 the chairman of Transportation Commission. I think I

Comment agree with our statement also that it is a very low to

#082-2 moderate impact as far as transportation.

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1 I do believe that we will increase in traffic.

2 The Transportation Department has funding for a new

3 20-year design road from the Texas state line to Highway

4 18.

5 *Comment*

6 *#082-3*

7 The issue the Department is trying to decide is

8 what is the proper time to redo the road, and do we want

9 to wait until after construction is over with and then

10 build a nice, beautiful road that will last 20 years, or

11 certainly do we need to do it now for the safety of the

12 people through construction?

13 And so that's a decision that we have yet to

14 decide. Certainly we would love your input if there's

15 something that you have strong feelings about.

16 But I do want to say I'm very proud that LES

17 has decided to go through this permit application. I

18 appreciate all of your due diligence and hard work and

19 dedication.

20 *Comment*

21 *#082-4*

22 I do firmly believe in my heart that this is

23 something that's good for our nation, and I appreciate all

24 that you're doing here tonight.

25 MR. CAMERON: Thank you, Johnny.
Buster Goff.

MR. GOFF: I feel like I was chosen last. My

name is Buster Goff, and I am the chairman of the Lea

County Water Users Association.

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1 We are an association that is represented not
 2 only by Lea County but by all of the cities in Lea County.
 3 We are appointed by each of the commissioners or the
 4 councils. We were charged with putting together the
 5 40-year water plan; the Lea County regional plan.

6 When I heard about LES, the first thing I
 7 thought was how much water do they want, because water to
 8 me is more than just a commodity; it's really personal,
 9 because we in Lea County know that we have a aquifer that
 10 really is not rechargeable, so as water users we were very
 11 concerned about the amount of water that this facility of
 12 this magnitude would use.

13 The estimated water usage for the facility is
 14 approximately a 75 acre-feet. How much is that?
 15 Seventy-five acre-feet would water about three holes of
 16 the golf course in Eunice.

17 According to the numbers of our regional plan,
 18 Eunice golf course uses 210 acre-feet a year. This
 19 facility is estimating in using 75 acre-feet.
 20 Seventy-five acre-feet is 25 acres of farmland.

21 If you're familiar with how we irrigate or farm
 22 of the country, primarily it's with pivot systems. A
 23 pivot system is 120 acres per system. We have in this
 24 area hundreds of them. That's about 20 percent of one
 25 system, is what 75 acre-feet is.

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1 So I was certainly surprised that this facility
 2 uses so little water. We feel as water users that this
 3 aquifer can easily meet the water requirements for this
 4 facility. Thank you.

5 MR. CAMERON: Thank you, Mr. Goff.

6 Next we're going to go to Ron Aboulsman. I'm
 7 sorry if I'm probably pronouncing your name incorrectly,
 8 Ron. Ron is the Eunice city manager.

9 After Ron we're going to go to Jerry King of
 10 the New Mexico Land Commission.

11 MR. ABOULSMAN: I'm Ron Aboulsman. I'm the
 12 city manager here in Eunice. I haven't been here as long
 13 as everybody else has. I've only been here a little over
 14 a year.

15 But one of the things I noticed when I came
 16 out -- and some of the instruction or the words that were

17 told to me -- is that we needed to diversify the economy
 18 of our community. I think this a great step in that
 19 direction.

20 I'd like to really thank the NRC staff for
 21 their efforts. In a small community like ours we don't
 22 have the staff available or that's necessary to review an
 23 application of this magnitude.

24 I think that with your review, we depend on it
 25 greatly, and we sure thank you for everything that you've

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Comment #083-1

Comment #084-1

Comment #084-2

done.

Comment #084-3

We all felt very confident before the draft environmental impact statement came out that it would come out the way it did. We've always felt very confident that way, and it did. And we're happy that it has.

When I read through it was I saw really was the positive socio-economical impact that was addressed in the document -- what it's going to do for the local economy, if we take advantage of it.

We're looking at eight years of construction, 397 jobs at any given time on an average basis. After four years of construction, we're looking at about 800 jobs. It'll grow to that size.

What's going to happen in the area -- the spending for goods and services -- will also generate some 580 jobs. We know that the facility will have 210 permanent jobs. But we don't count what else is going to happen once this plant locates here.

We've already had some contacts -- us as a small community of our size -- from other industries that may be coming, something very different from what the facility will be.

But I think because the facility is coming, other people are beginning to look at this part of New Mexico. And I think they want to make their little mark

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in the world here in southeast New Mexico.

Let's not forget construction is \$1.2 billion in 2002 dollars. That means that even today it's a little bit more than that.

Although we've heard different things, I'm very confident that we will soon here a solution to the waste, the decontamination facility disposal or whatever is going to happen with it. But I'm sure that we'll be hearing soon of what will happen there.

The one other point that I want to make is that I'm surely happy to have the experts here that make their determination on fact, not on assumptions of what might happen, but on facts that are being presented, which is the way we need to run our business, our communities, our state and our counties. Thank you again.

MR. CAMERON: Thank you, Ron.

Mr. Jerry King.

MR. KING: Good evening, everybody. My name's

Jerry King. I'm an assistant commissioner at the State Land Office.

Comment #085-1

I'm here on behalf of Commissioner Pat Lyons who apologizes for not being here tonight, but he has publically supported this project time and time again.

I want to tell you a little story. About a year and a half ago now, Johnny Cope, Carroll Lavelle and

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1 Commissioner Teague walked into the Land Office.
 2 They said, Commissioner, Lea County wants to
 3 make another development, and we want to build a uranium
 4 enrichment facility down there. We're in Santa Fe,
 5 remember.
 6 He said, What? You want to do what?
 7 We want to build a uranium enrichment facility,
 8 and we want to find some property that we can do it on.
 9 What's the state have?

10 The Commissioner says, I'll do whatever I can
 11 to help you, but the first thing I want to know is I want
 12 to know that it will be safe. Then I want to know who's
 13 doing it and get them in here and get them in here now.
 14 So then about two or three days later Jim
 15 Ferland walks in; Marshal walks in, and Ron walks in. And
 16 the Commissioner says, guys, tell me what you're going to
 17 do and tell me how you're going to do it and make sure and
 18 convince me that this is going to be safe.

19 So we sat down and spent a couple of days'
 20 worth of meetings going over all this, making sure it was
 21 safe. So we'd gone in, and we'd looked at the land. The
 22 Commissioner says, what's there? What are the impacts
 23 going to be.
 24 One thing that, Anna, that you should us
 25 tonight is that what we thought we knew is that the

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1 impacts were going to be small on the environment but they
 2 were going to be great for the community.

3 Commissioner Lyons has a soft spot in his heart
 4 for rural communities; he's a rancher from over by
 5 Tucumcari. We looked at the upside and the downside.

6 And, Mayor Brown, I got to tell you something:

7 We looked at all the upside and said that's
 8 great, but remember, he's from Tucumcari and Santa Rosa.
 9 Then when we looked at the downside, he said, dang,
 10 Eunice's and you all's football teams are going to be
 11 good.

12 So, anyway, on behalf of Commissioner Lyons,
 13 it's great to be here. We want this to be safe. And,

14 Scott, Tim, Anna, Brian, I think we're in very reliable
 15 hands, not only the citizens of Eunice, but the citizens
 16 of the state of New Mexico, to have you decide what's best
 17 for this facility.

18 And, again, I want to thank you, and on behalf
 19 of Commissioner Lyons, everybody have a good evening.

20 MR. CAMERON: Thank you, Mr. King.

21 JUDGE DOLGENER: My name's Richard Dolgener;
 22 I'm the County Judge in Andrews. I represent 13,002
 23 people in 1500 square miles to the east of the river, and
 24 for the record, I'm going to be sending you all a written
 25 statement.

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1 I just want to thank the other guys -- Jim, I
2 really appreciate your diligence on your second part of
3 this. As somebody said, your life has been in this, not
4 for your government service; I just want to appreciate
5 that you kept us in your heart all these years.

6 I'm going to be really short. The main thing
7 is that I love the talking about regionalism among our
8 Regional Planning Commission.

9 It was over the last six months the planning
10 people, you all's commissioners and ours, have got
11 together.

12 My background -- I was the chief deputy in the
13 sheriff's office, and we had a very good relationship with
14 the Lea County sheriff's office, and now I'm seeing that
15 come over to this.

16 And I really appreciate the rapport in the city
17 and the chamber that now Andrews and Lea County are
18 talking to each other. This is going to work.

19 We have been in the waste business for maybe
20 ten years, trying to get a bill passed through our
21 legislature. The state agencies are now reviewing that
22 license. And depending on what happens, we can go forward
23 with our part.

24 You look at -- [inaudible] had a deal one time
25 in the paper -- I don't know if you all seen it, but it

1 said [inaudible], and it has Amarillo, Lubbock, Andrews,
2 [inaudible], Eunice, and Carlsbad.

3 Another person said we live in the third-
4 largest oil producing region in the United States. When I
5 was a deputy, I'd hate to go out to an oilfield or get out
6 of the tank there; you didn't if you were going to get up
7 or fall in.

8 This is going to be a lot of people; a lot of
9 guards, a lot of security. I'm not worried at all about
10 what's going to be inside that fence. I am worried about
11 the ten guys that came across the Mexican border.

12 But this kind of stuff is not going to be a
13 problem. I include everybody from the mayor on down; we
14 need to change the way we're doing.

15 This community as a whole can change, because
16 we live in the oilfield; we've always been in the
17 oilfield, and we can change the way we do.

18 They've probably never seen a boom like this.
19 And if we can ever get them on the highways and stuff,

20 we'll be all right. There is some risk of wrecks. You've
21 got a great hospital in Hobbs. You've got a great
22 hospital in Andrews. We have emergency evac. You have
23 Lubbock.

24 Within 45 minutes, if you are hurt, you can be
25 at a major hospital. So we're not out here in the desert

away from medical science and all that. I mean, we have a university teaching medical facility within a hundred miles of here by helicopter.

So a lot of these issues I think are taken care of already. The decision is going to be a major eco-socio thing. I do like those executive summary. I'm going to read the deal and try to comment on the big book.

I just appreciate you all keeping Andrews informed, which you have, and I, myself, informed. I'm in favor of this. Thank you.

MR. CAMERON: Thank you, Judge. Look forward to your comments.

Next we're going to hear from Jerry Harper, who's with the Eunice Fire Department, is Jerry still here, and Erica Valdez from Economic Development Corporation. Is Erica here?

(No response.)

MR. CAMERON: Mr. Ojeda?

MR. OJEDA: Good evening. Welcome to our little town of Eunice. My name is Termilo [phonetic] Ojeda from the radio station KMMEA, and [speaking Spanish].

MR. CAMERON: Thank you. Thank you very much. And that will be on the transcript, and I guess we better provide a translation.

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Comments from Carmelo Ojeda

NOTE: These comments were provided in Spanish at a public meeting to discuss the Draft Environmental Impact Statement on the National Enrichment Facility. The meeting was held on October 14, 2004 in Eunice, New Mexico. The following is a translation Mr. Ojeda's oral comments. The meeting transcript is at www.nrc.gov/materials/fuel-cycle-fac/m/043090069.pdf.

Mr. Ojeda: Good evening. Welcome to this small town of Eunice. My name is Carmelo Ojeda, from the radio station KLMA, and I encourage you to support this enterprise, since it will be beneficial for the current economy. Two thousand construction-related jobs for 5-7 years; 210 permanent jobs, ranging from cleaning to physical security. I do not know much about the plant's technology, but I can assure you about the plant's security. I had the opportunity to visit Almelo, and I was impressed by the security in that place. There has not been any major accident. The loyalty of the workers is incredible - from 20 to 24 years working for a company, that is loyalty. The Nuclear Regulatory Commission is concerned about our security (that is, you). And neither me nor some of us who were at the plant in Almelo, none of us is glowing green, since we are not radioactive. I am not an expert on nuclear matters, but I am concerned about my children's security. And I can assure you that security is very good at this plant. Thank you.

Comment #059-2

1 Lana Bavel?
 2 MS. BAVEL: I'd like to thank the NRC for
 3 coming and doing all your hard work and planning for us.
 4 I'd like to also thank LES and [inaudible] for making
 5 Andrews a big part of this.
 6 We're very excited. We appreciate the chance
 7 to respond to the NRC, the impact study. I'm very pleased
 8 to know, with regards to the safety issues, that it's a
 9 minimum environmental impact.
 10 I believe that as an citizen of a community
 11 that will be impacted by this, we have a responsibility to
 12 understand as much as possible.

Comment #087-1

13 Again I really appreciate the chance to come
 14 here to better understand what I support and believe will
 15 be an outstanding opportunity for southeastern New Mexico
 16 and West Texas. Thank you very much.

17 MR. CAMERON: Thank you, Lana. Chief Harper?
 18 CHIEF HARPER: Hi. I'm Jerry Harper from the
 19 Eunice Fire Department. I'm the fire chief.

20 I want to thank each and everyone of you here
 21 this evening helping out with the license for LES. I just
 22 want to say that with the safety issues and the
 23 environmental issues that they're going through to try to
 24 get a license -- I just want to say you're doing a great
 25 job for the environmental in the Eunice area, the Lea

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Comment #088-1 (cont.)

1 County area, the State of New Mexico.
 2 Again, I want to say thank you for coming down.
 3 And I'd just like to say if there's any way to kind of
 4 push a little bit, get it a little bit quicker where they
 5 can start the facility, I'd appreciate it.

6 MR. CAMERON: Thank you, Chief Harper.
 7 Next were going to go to Mike Bundick and then
 8 Marilyn Dill and Gary Dill. Mr. Bundick?

9 MR. BUNDICK: I'm Mike Bundick. I've been in
 10 Eunice 24 years'now. I've raised my kids here; I'm a
 11 member of the Eunice Chamber of Commerce.

12 And I just wanted to say thank you for coming.
 13 The Chamber of Commerce supported LES; we really think
 14 that they would be a good member. They're a good person
 15 for Eunice.

16 Also, I'd like to say that my two sons
 17 graduated from Eunice, and they both left: There's
 18 nothing for us. I'd like LES to help us maybe retain our
 19 kids and they don't go off to war or join the military
 20 because there wasn't anything in Eunice to keep them home.
 21 Thank you.

22 MR. CAMERON: Thank you, Mr. Bundick.
 23 Is it Marilyn? Marilyn Dill.

24 MS. DILL: Thank you very much. I appreciate
 25 seeing your presentation tonight. I learned a lot from

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Comment #090-1 (cont.)

your very clear statements.

Comment #090-2

I'm representing the Southwest Symphony in Hobbs, New Mexico, and on behalf of the symphony, we are in support of LES coming to Lea County.

Southwest Symphony brings about eight concerts to the area each year. And in addition to the public concerts, we also take music into the schools, and one of those schools will be Eunice.

We've already had a very productive meeting with Marshal, and he has been very supportive of our efforts. Hopefully we can partner with them in the future.

Comment #090-3

As Southwest Symphony works to improve the quality of life in the arts in Lea County, we look to LES to improve the quality of life economically. Thank you very much.

MR. CAMERON: Thank you, Marilyn. Gary Dill?

MR. DILL: I'm Gary Dill, president of the College of the Southwest.

Comment #091-1

I'm here to say that we are pleased with the draft report but not surprised. We're convinced that the science is good, appropriate.

The faculty members of the College of Southwest in the Departments of physics, biology and environmental

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Comment #091-2

management have looked the issues over carefully. We believe strongly that LES will be a good and appropriate academic and intellectual partner. They'll be good scientists. They'll be good stewards of our resources. And for that reason we're enthusiastically in support of the petition.

MR. CAMERON: Thank you very much.

Debra Hicks? And then we're going to go to Susan Holler.

MS. HICKS: My name is Debra Hicks. I am a registered professional engineer in the states of Texas, New Mexico, Oklahoma, and Kansas.

I'm also a mother raising children in Lea County. My family homestead was in Lea County in the early 1900s, and I'm fourth generation in the county.

I value Lea County, and I value our natural resources. It's important to me to know, in raising my family here, that we have findings such as the small impact for historical and cultural resources, for air quality, for water usage and for land usage.

Comment #025-2

I can place my whole support in the National Enrichment Facility that LES is proposing to build here in Eunice, New Mexico.

Having worked on environmental impact

statements through my profession, I'm knowledgeable of the

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resources and the detail study that is necessary to prepare documents of this magnitude. And I appreciate your endeavors very much.

I appreciate that you are looking out for Lea County. I trust the findings of small impact as it relates to the environment and also the small to moderate impact as it relates to transportation and safety.

I realize and I believe that you will take the safety to the next level, to discuss the issues that we may have with regard to the construction and operation of the plant for safety.

I also trust that NRC will monitor the construction and operation for Lea County to make sure or to ensure us that it is built to the standards a specifications necessary for us to have a quality of life.

Lea County has a long history of supporting energy needs for our country. LES will allow us to continue to contribute in a way that also benefits our county.

I submit my whole support for the construction and operation of the National Enrichment Facility here in Lea County. Thank you.

MR. CAMERON: Thank you very much.
Susan?
(No response.)

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MR. CAMERON: We're going to go to Justin McGrath at this point. Justin?

MR. McGRATH: Good evening. My name is Justin McGrath. I'm the executive director of the Carlsbad Chamber of Commerce.

I'm here this evening also with the delegation with other Carlsbad Chamber members. I'm here tonight in support of the Enrichment Facility.

In a recent board meeting, the Carlsbad Chamber of Commerce Board of Directors passed a resolution in support. I'd like to read that at this time.

"Whereas Louisiana Energy Services seeks to build a uranium enrichment plant to provide enriched uranium for the United States nuclear energy industry;

"Whereas the economic benefit to Southeastern New Mexico will be stability, growth, job creation and industry diversification;

"The facility will produce depleted uranium byproduct in cylinders that will undergo deconversion for final disposal in a location outside of New Mexico;

"Whereas the facility will be virtually the same as the plants that have been operated safely in Europe for over 30 years;

"Whereas the facility will be licensed and regulated by the Nuclear Regulatory Commission along with

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1 appropriate state agencies;

2 "Whereas the facility will have regulated air

3 and water emissions at or below state and federal limits

4 as allowed by the NRC and New Mexico Environmental

5 Department;

6 "Whereas the National Enrichment Facility, to

7 be situated in Southeastern New Mexico, has the support

8 of major U.S. utilities, the DOE, and U.S. Senate Energy

9 Committee Chairman Pete Domenici, and ranking member

10 Senator Jeff Bingaman, Congressman Steve Pearce and

11 numerous local and state elected officials;

12 "Therefore be it resolved that the Carlsbad

13 Chamber of Commerce supports locating such facility in

14 Southeast New Mexico in the interest of regional economic

15 stability."

16 MR. CAMERON: Thank you, Mr. McGrath.

17 Our next speaker/commenter is Kelly Holiday.

18 Then we're going to go to Suzie Holler.

19 MS. HOLIDAY: I'm Kelly Holiday from the New

20 Mexico Junior College. I'm a professor of geology.

21 I, too, have had the opportunity to travel to

22 Almelo last November to take a look at the uranium

23 enrichment plant. I have to tell you that before I went,

24 I was totally anti-uranium enrichment plant; didn't

25 particularly care if it came to Lea County or didn't come

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Comment #092-1

1-51

1 to Lea County.

2 But after visiting the plant in Almelo, I've

3 totally changed my mind about that. I feel completely

4 comfortable with the plant coming to Lea County, and

5 basically I have the same thoughts and comments as many of

6 the rest of you have already made.

7 However, one thing I did want to point out that

8 the plant in Almelo, which has been there for 30 years --

9 I didn't realize this before I went, but Almelo is just

10 above sea level, and so their plant's just right on top of

11 their water table. They've had no problems with anything

12 infiltrating their water system.

13 With our water table being 800 feet below the

14 plant with a thick layer of red clay that's going to not

15 allow any penetration of anything dangerous, it's even

16 more safe than the plant in Almelo, if that be the case.

17 So with the exception of my concern about the

18 byproduct -- I am very concerned about that. If this

19 particular facility here in Lea County operates like the

20 one in Almelo, they have 400 canisters of byproduct on

21 their facility, which is pretty minimal.

22 While we were there, they actually took some of

23 the canisters and transported them to another facility in

24 France or Russia, where they were actually recycling the

25 product.

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Comment #029-2

Comment #029-5

Comment #029-3

Comment 1
#029-3
(cont.)

And I really do hope that in Lea County we're able to do that as well, because those canisters don't need to be lying out on the ground for years to come, because they could be an eyesore and maybe a danger in many years to come, if something's not done with them.

So I am concerned about that, but other than that, I completely support the National Enrichment Facility. Appreciate your work here you've done.

MR. CAMERON: Thank you very much.

MS. HOLLER: I'm Suzanne Holler, and I'm from Hobbs and president of the Hobbs Rotary Club and a board member of the Chamber of Commerce and involved in several other associations in Hobbs, and I do support this National Enrichment Facility.

I've lived here since 1969, raised my family here. My husband's retired, and we're staying here. I would like to see this diversification come to Lea County.

Our children have been our greatest export, and I would like to see something come here so that there will be opportunities for them to stay.

I would like to give you my support and appreciate everything you've done. Thank you.

MR. CAMERON: Thanks, Suzanne. We're going to go to Ben Kendrick now. Ben?

MR. KENDRICK: I'm Ben Kendrick, executive

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director for Economic Development Corporation of Lea County.

On behalf of EDC, welcome and thank you for your tireless efforts with regard to this important project.

From an economic development perspective, we see the NEF as an economic development anchor, an anchor that may incentivize or entice suppliers and vendors to consider locating within the county; An anchor that, while during construction, will provide some 400 jobs with annual payroll of \$170 million; an anchor which upon startup of the operation will provide over 200 jobs with a \$10 million annual payroll, as well as over \$3,000,000 being paid out as benefits.

Certainly I met Jim Ferland also and his staff. They are dedicated professionals. In fact I sat down with Mr. Ferland and got a uranium enrichment 101 course and learned everything I needed to know about uranium enrichment.

The point of that is this: His enthusiasm was contagious. He believes in the technology. That technology has been in use for over 30 years now, and I, too, believe in it.

As a proud American I truly believe that this facility will help our country by enabling us to have our

NEAL R. GROSS & CO., INC.
(202) 234-4433