

Comment #054-3 (cont.)

own domestic source of enriched uranium so that we can drive our own nuclear plants.

Thank you. On behalf of EDC we support the LES NEF. Thank you.

MR. CAMERON: Thank you very much, Ben.

We're going to hear from Jennifer Jordan and then Pat McCasland.

MS. JORDAN: Good evening. Thank you for coming.

Comment #053-2

I personally am in support of the National Enrichment Facility in Lea County, and I'm just very pleased with the findings in the EIS.

As a representative of New Mexico Junior College, I'm very excited and appreciative of the partnership that we have with LES currently. This semester we were able to reward over \$2400 in scholarships to ten Lea County students -- math, engineering and science students.

So we're very excited for LES and the National Enrichment Facility in Lea County. Thank you.

MR. CAMERON: Thank you, Jennifer.

MR. McCASLAND: My name is Pat McCasland.

I support the facility, and I really appreciate the NRC being here tonight. I think it represents a very significant part of the safety of this facility. I guess

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it's okay to comment on the report. Right?

I just have a few comments, and truly I'm not going to take a lot of time. But I wanted to -- as I read

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the report, there was an issue out here at Wallach Concrete, and there seemed to be, maybe not a contradiction, but it was somewhat confusing to me in regard to the water resources on Wallach Concrete.

It's on page 3-4. Line 40 and 41 says, a man-made pond on the adjacent quarry property to the north that is stocked with fish for private catch-and-release use. That's a shallow pond.

Over here on page 3-34, 12 through 18 it reads, on the Wallach Concrete property a shallow surface depression is located at the base of one of the gravel pits.

Water is perennially present in the pit due to a seep at the base of the sand and gravel unit at the top of the Chinle formation clay, and Wallach Concrete occasionally pumps water out of this depression for use on site. However, the amount of water in the depression is insufficient to fully supply to quarry operations.

While the rate of replenishment is not being quantified, it appears to be relatively slow. This shallow zone of groundwater is not observed throughout Wallach's property; therefore it appears to be

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(cont.)

representative of a local perch water conditions that is not considered to be a aquifer.

I don't know whether -- in the application I think there was a lot more detail than that. In the report those two comments seem to be conflicting. I think it'd be important to resolve that, not just for the veracity of the document, but also to get the facts straight.

Wallach Concrete does maintain a shallow lake out there that has fish in it; it's a recreational thing. But they use the City of Eunice water. They don't have any water wells out there, because the amount of water there is not producible.

I wanted to clear that up just in case somebody had any questions about that in the future. It's not a big deal, but it just seemed important for me to make that comment.

One of the reasons is in the application there's -- the nearest resident is 2.63 miles away. And that just happens to be where I live, along with my wife and 18 laying hens.

But I hope that that comment, insignificant as it may be -- I wanted to make that comment.

Another thing that may be inconsistent with the application is on page 5-5, 30, 31, 32. It's in regard to

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(cont.)

waste management, inspection of the cylinders. It says, inspect cylinders of UF-6 prior to placing in filled cylinder on the UBC storage pad and annually inspect UBCs for damage or surface-coating defects. I think the rate of inspection is more frequent than annual.

That's the only comments that I have about this. I appreciate the work that you all have done on this. It's a good document, very informative document.

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#093-5

For the benefit of everyone here, this document does not address the accident scenarios that I'm concerned about. The application does.

My wife and I and everybody lives east of Eunice, under normal operations this says that we'll probably at maximum receive one millirem exposure per year. That's not very much at all.

I think our annual exposure of everything around us is in the neighborhood -- some say 350. Some say 700 if you count radon. But anyway, fairly insignificant.

The application says the worst-case scenario where one of the cylinders is ruptured that we'll receive 18 millirems. Again, that's not real significant. And if you read this, you see that many, many of the aspects of the operation of that facility are -- the acronym is BMP,

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1 and it's best management practice. That's all through
2 this document. I just wanted to mention that.

3 One final question to the NRC: When will the
4 safety evaluation be conducted and when will it be
5 available?

6 MR. JOHNSON: The safety evaluation is being
7 conducted right now, and our scheduled date for completion
8 is June 2005.

9 MR. CAMERON: Thank you, Mr. McCasland, for
10 those specific comments. Thanks again for that
11 information.

12 We're going to go to Brian Norwood and Will
13 Palmer, then Twilla Parker. Is Brian here?

14 MR. NORWOOD: Thank you. I'm Brian Norwood
15 with Jal Chamber of Commerce. I'm a past president and a
16 current member of the board of directors.

17 Since tonight's meeting is about the draft
18 environmental impact statement, I will address my comments
19 about that.

20 In reviewing that document -- and as so many
21 people have said, I think it's a good document -- what
22 struck me was that, having grown up in this area -- I've
23 lived in West Texas and Southeastern New Mexico all of my
24 life, which means I've lived in the middle of the oilfield
25 all of my life -- what struck me most was that the impacts

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1 that you point out, which, as you've said, are low to
2 moderate, are almost exactly the same impacts that we face
3 on a daily basis from the oil and gas industry.

4 In my mind that says that, yes, there are some
5 risks and there are some concerns, but we believe we are
6 addressing them in this document.

7 I think that, given what we live with every
8 day, what we will see with the enrichment facility is

9 nothing new. I think it will certainly be safe and that
10 Lea County will still be a place to live.

11 Finally, although it's already been said, I do
12 want to invite you and everybody else that's left in the
13 room down to Jal sometime.

14 MR. CAMERON: Thanks, Brian.
15 Mr. Palmer.

16 MR. PALMER: The problem with speaking so late
17 at a meeting is that inevitably someone else has already
18 talked about what you were going to say. That's happened,
19 so I will be repeating myself.

20 My name is Will Palmer, and I'm just a
21 concerned Lea County citizen. I want to thank you all
22 from the Nuclear Regulatory Commission for coming down and
23 holding this hearing also.

24 I've long been an advocate for conserving the
25 quality and quantity of our freshwater reserve here in Lea

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Comment
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Comment
#094-1
(cont.)

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#095-1

Comment #095-1 (cont.)

County. It pleases me to see in the environmental impact statement that there was going to be minimal impact on the groundwater here in Lea County. That's something that's deeply important to us here in Lea County.

I'm glad to see that. That coupled with the fact that there is such a enormous positive socio-economic impact, that to me it's a no-brainer. And that's why I support the Louisiana Energy Services coming and building a National Enrichment Facility in Eunice, New Mexico 110 percent.

I'm also in the oil and gas industry. While I appreciate the vast amount of resources that lies beneath surface here in Lea County, I also realize that it's a finite resource.

We need to diversify our economy. Having this National Enrichment Facility in Lea County provide the vehicle, we'll be able to maintain and employ our workforce. And that is extremely important, and that's another thing I completely support for building this facility in Lea County. Thanks for your time.

MR. CAMERON: Thanks for those comments. Is

Twillla here?

MS. PRESTON: Hello, I'm Twilla Preston, and I'd like to thank you and everyone who's stayed tonight.

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Comment #096-1

I'd like to first say that I'm very impressed by the breadth of the subjects covered in the EIS and that was a major task for you to undertake. It was very well presented so that all of us could understand the information.

Comment #096-2

Also from the results I see that there are both strong benefit and a few possible concerns. The benefits are both local and national. Some of the national benefits include a stronger domestic source for energy by providing a domestic source of input for domestic power plants.

The local benefit, as many people have said, is the diversification of our economy. But I'd also like to point out the decrease in the brain drain. As I learned when I was in Pennsylvania, during my graduate studies of

world sociology and regional economics, as well as development, I learned that it's not only necessary to diversify our economy, as we have we have been doing in Lea County, with our prison and other facilities who have been attracted to our community and provided more jobs outside of the oilfield, but we also need to diversify our economic with good high-tech and high-paying jobs, so that our educated youth are able to stay in Lea County with our families and that we don't end up having to leave in order to use our education.

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1 I think that's one great benefit that LES has
 2 provided us, to allow our youth to stay here. By
 3 diversifying our economy and allowing new industries that
 4 allow our educated youth to stay for a position that
 5 allows them to use their education, not just a job for a
 6 paycheck. Thank you.
 7 MR. CAMERON: Thank you, Twilla.
 8 Scott Smith.
 9 MR. SMITH: Good evening. I am chairman-elect
 10 of the Hobbs Chamber of Commerce.

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Comment #097-1 (cont.)

I come before you tonight to ask for you consideration and a show of support for the National Enrichment Facility.

Many of us have reviewed the information, discussed the benefits and risks of such a facility being located in our area. We've come to the conclusion that the benefits most definitely outweigh the limited risks associated with the safe operation and management of the facility.

For more than 20 years a similar facility has been successfully operated and maintained in Europe without any emergencies or ill effects to the general populations around the facilities. The testimony with this history make a compelling argument for the NRC to continue the speedy

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1 review process and awarding the licensing of this
 2 facility.
 3 The positive economic impact and the quality-
 4 of-life issues are key elements in the development in this
 5 facility.
 6 The Eunice and Hobbs areas in general will
 7 benefit directly from the various developmental and
 8 operational components of this facility. Many examples
 9 we've heard tonight: the additional jobs, the additional
 10 pay, just to name a few.

11 But if we had any concerns regarding the safe,
 12 professional management qualifications of the applicant,
 13 we would have addressed those concerns early in the
 14 planning process.

Comment #097-2

We understand the review and exploration process that you and the various NRC committees and staff must do to safeguard the handling of the various components that make up the nuclear energy family, and we do salute you in this mission.

Comment #097-3

We also want you to know that the importance of the facility to our communities and in the United States in safeguarding and protecting us, and fuel rods for future use are important to us. The National Enrichment Facility management is a good neighbor and is ready to work with our community

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1 leaders and businesses to continue that positive
2 relationship.

3 Your being here tonight shows us and the
4 community that this is a noble cause and that every
5 positive consideration will be given to the National
6 Enrichment Facility and their application process.
7 Again, on behalf of Hobbs Chamber of Commerce,
8 thank you for the opportunity of presenting our comments
9 to you on this very important issue.

10 MR. CAMERON: Thank you, Mr. Smith.
11 Alberto Caballero and then Mr. Cliff Burch.

Comment #027-2

12 MR. CABALLERO: Good evening. I as well
13 support the NEF and would like to read a statement from
14 Commissioner Joe Calderon.
15 "This letter is in support of Louisiana Energy
16 Services to obtain a license from the Nuclear Regulatory
17 Commission to build and operate a National Enrichment
18 Facility.

19 "I support LES and the city Commissioner,
20 former mayor and school board member. I had the
21 opportunity to visit Ureenco facility in Almelo, which is
22 very similar to the facility of this plant in Lea County.

23 "I felt that the questions and concerns our
24 group had were answered. The highlight of the tour was
25 when we went to the town, talked to the average person on

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the streets of Almelo.

"These people answered our questions and were
all very positive in their answers. As an educator, I
keep myself informed about the project. This is
important, because as an elected official it is my duty to
be informed and to be aware of safety issues for those
that I represent.

"The citizens put their trust in me, and I in
turn put my trust in LES. I haven't been let down by LES.
They're always open to answers to questions and hear
concerns.

Comment #027-3

"I appreciate the work the NRC did on the draft
environmental impact statement, and I'm pleased with the
results. The National Enrichment Facility will benefit
Lea County, New Mexico, and America. Sincerely,
Commissioner Joe Calderon."

MR. CAMERON: Thank you and thank you the
commissioner.

Mr. Burch?

MR. BURCH: My name is Cliff Burch, and I'm the
assistant superintendent for the Hobbs municipal schools.
I am here on behalf of Stan Rams, who could not be here
tonight.

Knowing how supportive he is of this project,
we felt that it was very important that we still allow

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1 him -- and he made a statement in this letter that I'd
2 like to read.

3 *Comment*
4 #021-2

5 "The Hobbs municipal schools is in strong
6 support of Louisiana Energy Services' application to
7 obtain a license from the NRC to establish the National
8 Enrichment Facility in Eunice, New Mexico.
9 "We have reviewed the draft environmental
10 impact findings and concur that there is little negative
11 impact upon our community and our schools. In fact, LES
12 has shown its intent to be a substantial partner in
13 education of our children and has stepped forward to be a
14 partner in education in Lea County.

15 "Together we will provide the necessary
16 workforce to ensure the success of the placement of the
17 NEF in Lea County.

18 "The draft environmental impact statement is
19 very positive for the NEF. We are pleased that the report
20 found only minimal impact. More importantly the NEF will
21 have a positive socio-economic impact on this region.

22 "The Hobbs municipal schools fully supports the
23 NEF and asks that you continue expedient progress in
24 licensing the facility so that we in Lea County can begin
25 to make the important plans for our future."

26 Thank you.
27 MR. CAMERON: We go to Mr. Don Peterson and

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1 then Mr. Glen Pipes. Mr. Peterson?

2 MR. PETERSON: On behalf of the Los Alamos
3 Education Group, I'd like to thank both the NRC and the
4 Lea County citizens for allowing us to speak.

5 The Los Alamos Education Group consists of
6 about two dozen old, retired men and some gals of
7 indeterminate age who all are very interested in nuclear
8 energy and getting facts out properly. We spend a lot of
9 time refuting exaggerated and erroneous claims and
10 badgering people who govern letters to the editor.

11 Our principal interest is in solving the energy
12 dilemma, which is clearly getting worse. And we certainly
13 agree with the findings of the NRC related to the draft
14 EIS for the National Enrichment Facility.

15 It's enormously important to reduce imports of
16 both nuclear fuel and petroleum and to approach as closely
17 as we can energy independence, with some pie-in-the-sky
18 notions that we'll talk about later, but which are
19 irrelevant to this particular enterprise.

20 We were especially pleased to see the response
21 on the NRC regarding the claims for radiation hazard,
22 which we knew to be small and yet we had been reading were
23 large.

24 There was an allusion earlier to proliferation
25 and terrorism that I think everyone has to realize is not

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a factor in the case of the NEF proposal, because of the fact that if their license exceeds 3 to 5 percent, it gets pulled in a hurry.

The material, both product and byproduct, are nowhere near the kinds of concentrations that would be required. The material that is left is too heavy to steal and not radioactive enough to be a dirty bomb.

Thank you.

MR. CAMERON: Thank you, Mr. Peterson. Mr.

Pipes.

MR. PIPES: It's getting late, and I'll be quick. Now I know how all my parishioners feel when I wax too eloquent from the pulpit.

I congratulate you people on the diligent, professional, fair review that you made of this situation.

My dad used to have a saying about people like you. He would say, You guys really don't have a dog in this fight. That means that you can be fair, and we're proud of that.

I'm a lifelong resident of the Permian Basin. I fully appreciate all of the risks related to living in the Permian Basin. Be glad you guys don't live in the Permian Basin.

Every morning when I wake up I smell H₂S; Smells so good. I'm a new resident in Eunice, maybe the newest person to speak. Been here since July 1.

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Comment #046-4 (cont.)

Comment #065-2

Before I came to Eunice, I said, I need to do some research before I come to Eunice. And I found out about LES. And I thought well, what am I going to do? I'm going to do some research.

I found positive things. I found that the impact that LES is going to make in our community. I found hope for a decaying community.

As a practicing attorney for the past 32 years, I did a little research on why people are opposed to this research, why people are opposed to LES. And I found Brother Cheney's web page. If you guys haven't found that, you're missing something.

What I found on Brother Cheney's web page was supposition, assumption, half-truth scare tactics: The terrorists are coming. There's a communist under every rock. It's a great conspiracy, and you guys are involved in the conspiracy.

And if all of this is based upon -- is Lynn White still here? -- newspaper editorials -- now, I'm sure that all of you put a lot of faith in newspaper editorials, don't you? Well, I don't.

It's what in my former life we used to call hearsay. Hearsay is not admissible in this state or any state or at the NRC. Now, I found no facts. Facts. That's a big word, facts.

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1 If you're worried about the world coming to an
2 end, if you'll come over to the First Baptist Church
3 Sunday, I will tell you about God's fire insurance. I
4 will.

5 At First Baptist Church we're planning on an
6 influx of people coming to this community to make this
7 community a better place to live. We're preparing for it
8 today.

9 That's what we're doing, because we believe
10 that these people have made the right decision, the only
11 decision there is to make. There are no facts out there
12 contrary to that -- anybody can make a web page and put
13 anything on there. Web pages are not regulated. Congress
14 doesn't regulate those things.

15 I want to say welcome, LBS, to Eunice.

16 Thank you, ladies and gentlemen.

17 MR. CAMERON: Who wants to follow Mr. Pipes?
18 (General laughter.)

19 MR. CAMERON: Mr. White, Lynn White. He
20 mentioned your name; I bet that's a good introduction.
21 Lynn White and then Lee White.

22 Mr. White.

23 MR. WHITE: Mr. Chairman, members of the Board,
24 we appreciate you folks coming tonight, and we appreciate
25 all the hard work you all have done on the EIS.

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Comment
#065-3

Comment #4
#098-1

1 My name is Lynn White. I've been a resident of
2 New Mexico all my life. I've been living in Eunice for
3 the past 25 years.

4 Like a lot of other people here, I went to
5 Almelo to visit the Urenco plant there and had the same
6 experience that a lot of other people did, except for one
7 thing.

8 I interviewed on old couple there in Almelo
9 that had been living there ever since they were born. And
10 this guy's about 75 years old, and he had one thing to
11 say. And as I listen tonight, that thing just keeps
12 coming back to me. He said, You Americans get way too
13 uptight about nuclear energy.

14 Thank you.

15 MR. CAMERON: Thank you, Mr. White.

16 Lee White.

17 MR. WHITE: My name is Lee White. I am a
18 teacher and program director with Eunice public schools.
19 I've lived in Eunice for over seven years, and I've lived
20 in Lea County for over 20 years.

21 My family and I enjoy Eunice and all it has to
22 offer us as far as stability, support, and security. As a
23 member of this community, I am concerned about its long-
24 term sustainability in providing the economic security
25 that we crave and depend upon.

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1 That is why I am here to lend my support for
2 the construction and operation of the uranium enrichment

3 *Comment*
4 *#099-1*

5 plant to be built by Louisiana Energy Services. As a
6 citizen of Eunice, I am pleased to provide a heartily
7 affirmative vote in favor of all the proposed actions that
8 this plant has to offer.

9 Not only will our socio-economic status be
10 enhanced, but also another viable business will partner
11 themselves within the community to enrich the lives of
12 all.

13 The benefits that this plant has to offer far
14 outweigh the negatives. Please do not allow the plant
15 detractors interfere in the steps that will enable us to
16 reduce the dependence on foreign goods and services.

17 We in this county and those surrounding us have
18 experienced first-hand what happens when economic
19 dependence is placed on foreign goods and services.

20 As a community member I encourage all of you in
21 attendance to ask yourselves how you can become a part in
22 bringing economic diversity to our region and community.

23 Join me in celebrating and thanking LES in
24 considering Lea County and Eunice as a new home.

25 MR. CAMERON: Thank you, Mr. White.

We're next going to go to Mr. John Good and
then Janice Spence. Mr. Good?

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1 MR. GOOD: Thank you. I didn't want to get up
2 here and repeat things that have already been said, so
3 I've been placed towards the last.

4 I'm John Good. I've been in environmental and
5 safety business in Lea County since 1975, except for a few
6 years in the teaching business. I've been in the top end
7 of it and the bottom end of it.

8 I was invited to go to Almelo last year with
9 Hector Ramirez and Mary Fuller and Lea County. I jumped
10 at the opportunity. I have a science and technology
11 background, so I'm a techno geek; I'm fascinated by the
12 technology of the industry. I'm also a strong proponent
13 of the nuclear industry.

14 It's critical that this country get our nuclear
15 energy program back on course. It's pretty much
16 stagnating the last 20 years. We've lost a lot of time,
17 and we're going to have to give it a kick-start again.

18 *Comment*
19 *#061-2*

20 The nuclear enrichment facility is a key part,
21 one of the first steps to getting us back on track and
22 getting our energy problems squared away. Nuclear energy
23 is going to be a key component of getting our energy
24 problems solved.

25 As a techno geek when I went to Almelo, I
really kind of gravitated toward the technical people. I
think probably the most meaningful evening I spent was in

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1 an Irish pub downtown in Almelo with the -- you've been
 2 there, too, haven't you?
 3 I spent the evening with the project manager
 4 that was in charge of putting in their unit 5, which was
 5 just about to be completed at that time. Mike's from
 6 Manchester, England. I just liked him. Of course, we had
 7 to go to an Irish pub in The Netherlands. I could just
 8 sit and listen to him talk all night just because of his
 9 accent. But what I found out -- I mean, this guy is
 10 sharp.

11 And having been in the technical business and
 12 science business, you know, I can see people that are
 13 really competent pretty quick. I will tell that the
 14 Urengo people that I met, these people are top-notch.
 15 They know their stuff.

16 The facility over there -- I'm quite familiar
 17 with high-tech facilities. This is a facility, as far as
 18 the quality of construction, the technology that goes into
 19 it, the redundancy systems -- there are no shortcuts taken
 20 in these plants.

21 Now, Mike will be the project manager for this
 22 plant. He will be moving his family from Manchester,
 23 England to come over here to put this plant in, and this
 24 guy knows his stuff.

25 I tried to get him to drink enough Guinness

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1 stout that night to tell the classified part. Part of the
 2 technology is classified information under international
 3 agreement.

4 I tried to get enough Guinness to tell me what
 5 it was, but then he told me he'd have to kill me if he
 6 did, so I stopped. He did tell me enough, that there's
 7 only one simple part of it. The science behind the
 8 centrifuge is pretty simple. It's not rocket science.

9 He said, I can tell you what the secret does,
 10 but I can't tell you the secret. What he said was the
 11 secret is that once we turn these centrifuges on and they
 12 turn -- how many rpms do they turn? Thousands, thousands.
 13 They turn them on they run from 15 to 20 years
 14 with no maintenance. They never shut them off. That's
 15 the secret.

16 *Comment*
 17 *#001-3*
 18 Anyway, these people run one of the best
 19 facilities, the best run, most safety-conscious, best
 20 designed facilities you'll ever see.

21 Thank you.

22 MR. CAMERON: Thank you.

23 Janice Spence.

24 MS. SPENCE: Hello. I'm Janice Spence. I am
 25 president of Jim Spence Cadillac-GMC-Nissan-Mitsubishi, so
 you know how important this is to me. We're talking
 business, and business is what's important to me.

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I also am in a lot of organizations in town, to mention real quick. Jim's team in the last nine months, I think I've seen then all over Hobbs and all over this county supporting us.

I'm chairman of the a lot of committees. We have a lot of things going on, and every time I look around, one of them are there. This means a lot to us and our community. I support -- our community's supported me for so long, I today support LES to build the National Enrichment Facility outside of Eunice.

I'm excited. I'm thinking about business, people, and selling them cars. Thank you very much.

MR. CAMERON: Thank you.
Karen Stevens and Joan Tucker.
MS. STEVENS: Thank you. I'll be very brief.

As president I speak on behalf of the Jal Chamber of Commerce. Our board has voted unanimously to support this project.

We feel this will have a very positive impact on the economy of Lea County. The Jal Chamber of Commerce is looking forward to working the NRC and LES in any way we can.

We appreciate the effort LES has gone to to make all safety and environmental requirements. Thank you.

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Comment #071-1

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Comment #052-2

MR. CAMERON: Thank you very much.

Joan Tucker?

MS. TUCKER: Mr. Chairman, members of the Commission, another very warm welcome to Lea County. We are privileged to have you here, and thankful to have you back.

As someone who cares deeply, among many other someones in this entire region, about the future of this region, I was very delighted, not surprised, but delighted to learn the findings of the draft environmental impact statement.

I just want you to know that we're very pleased and thankful for the environmental findings, for the recognition of the economic impact that this will have on our community. It is significant, and we certainly recognize that. And we do so appreciate the integrity of your process, the significant time that goes into this.

I want to add that we are deeply excited about the opportunity that this region of the country might have to help create energy independence, start to work toward that. That is critically and vitally important to the future of this country.

I want to say to you something that I have just witnessed and it's been alluded to, but I don't think mentioned.

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Comment #070-1

Comment #070-2

LES is a great example of corporate citizenship at its best. I know whenever this is in operation, if that comes to be, that their corporate citizenship will increase, but to this point already they have made significant investment in this areawide community in supporting the things that this area has.

We talked about the brain drain, and perhaps part of this, or maybe not -- our son, who is an attorney, is moving back to this area.

So I think that whenever LES does build the National Enrichment Facility, in a sense that it does come to pass and we trust that it will -- I think you will see more of our young people here and other young people come here. You know what that means to an area that is failing.

But we do thank you so very much for your deliberations and thoughtful process. Thank you.

MR. CAMERON: Thank you for those remarks.

DeDe Wallace and Barbara Durham.

MS. WALLACE: Hi. I'm DeDe Wallace. I'm from Andrews. I'm the director of business development there, and I just wanted to thank you for taking the time to do this.

One of the different aspects that may be hasn't been addressed is really how encompassing the scope of

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this project is.

Some of the things -- the dynamics that have taken place just since I've been involved in this collaboration and partnerships that are passing state boundaries that not have happened before. A tremendous impact for Andrews I believe that has resulted from part of this process is we're building a business and technology center.

We do not have a college in Andrews, but we're building a business and technology center, and it's going to partner with Odessa College and UTPB.

We just recently found out within the last two weeks that we received a grant of almost \$1 million that's going to partner with the College of the Southwest for a state-of-the-art distance-learning center. And its also going to provide the centers top staffing positions.

This is a federal grant that I believe is really significant for this region, in that it's going to open some doors to be able to facilitate and ensure that we have the ability to take care of a project of this scope.

I know that you all are probably familiar with all the components of the Waste Control Specialists and what's going on in that realm. I believe that this part of the country and on our state border -- we have a real

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1 opportunity to be able to meet some critical issues and
2 some critical needs for our country.

3 But I think that it's also incredibly important
4 that we do the due diligence and that we make sure that
5 everything is aligned and well-taken care of.
6 On the things that I've been most impressed
7 with is in dealing with WCS, I've been out there numerous
8 times, and every time I've been out there, they've been so
9 willing to open their doors to make sure that we saw every
10 single aspect of what was going on out there.

11 And again, hearing what the folks have to say
12 here about being taking over to Almelo and given the
13 opportunity to speak freely to everyone -- I appreciate
14 your openness and the frankness.

15 I believe that it is our obligation as citizens
16 and as community leaders to make sure that we understand
17 what these projects are going to involve, and for me to be
18 able to get this report from you all with as much
19 information as is in there, I was really excited to have
20 the chance to learn more and to know more about the
21 project than I've already done research on my own, and
22 being able to come to the meetings.

23 I just appreciate that you took the time to
24 make sure the folks that came here and were interested got
25 a full copy of this. I just think that's a great asset

Comment #028-2

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1 that we are involved so much in this process.

2 The other thing that I also wanted to point out
3 is that I've really been intrigued by in dealing with
4 WCS is the vast amount and the number of folks who -- not
5 folks, but entities that monitor that facility.

6 I can't even begin to tell you the list -- it's
7 two pages long -- of the different departments and the
8 different regulatory commissions that oversee that. And I
9 thing that's one of the aspects that we were talking about
10 in developing this plant.

Comment #028-3

11 It's not only does it stop once the application
12 is approved, but the number of regulatory issues that are
13 going to be covered continue to be monitored.

14 I think it's something that's really important
15 that you all made sure that we're aware of that has been a
16 real asset to know when all of that happens.

Comment #028-4

17 So we thank you, and we're really excited about
18 the opportunity for regional collaboration on this project
19 and all the things that are going on this region.

MR. CAMERON: Thank you, DeDe.

Barbara?

(No response.)

MR. CAMERON: Mr. Cotton? Joe Cotton?

(No response.)

MR. CAMERON: I have to thank you all for your

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1 comments and your patience and your perseverance. Are
2 there any final questions that we can answer before I turn
3 this over to Scott to close the meeting?

4 One question?

5 MR. CHENEY: Thank you. I'm Lee Cheney. I
6 just have one final question for the NRC. As you folks
7 can see at the NRC, LES has spent a lot of money and has
8 taken a lot of people over to Almelo, The Netherlands, to
9 show them how good that plant is over there.

Comment
#031-5

10 I would ask the NRC to get at the truth and put
11 in the draft environmental impact statement a clear
12 statement of why the Almelo Urenco plant in The
13 Netherlands had its operating license revoked twice.
14 Thank you.

15 MR. CAMERON: Okay. That was not exactly a
16 question, but a request. Anything we need to say about
17 that? Okay,

18 Scott, do you want to close it out for me?

19 MR. FLANDERS: As we started out, we indicated
20 that your comments were very important to us in finalizing
21 in the environmental impact statement.

22 We appreciate everyone's comments, the
23 attendance, the participation, and we'll take your
24 comments back along with other great comments that were
25 received and decide how best to either clarify or modify

1 the document as we complete our licensing review.

2 With that, again, I'd like to thank everyone.

3 Have a good evening. Thank you. Drive carefully.

4 (Whereupon, at 10:20 p.m., the meeting was
5 adjourned.)

J-67

Group A

December 16, 2004
Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555
Dear Chairman Diaz:

This letter is in support of Louisiana Energy Services (LES) to obtain a license from the Nuclear Regulatory Commission. This facility, to be built outside of Eunice, New Mexico, will greatly impact Eunice and the surrounding region. *Comment #A-1*

There is much excitement in the preparations to facilitate LES. The Draft Environmental Impact Statement helped calm nerves by showing how little of an impact this facility will have concerning environmental justice and other important issues. We are excited to welcome this plant into Lea County. The NEF will not only positively impact us, it will also aid our nation in becoming independent from foreign countries for our energy needs.


We are hoping that this process will be swift so we can welcome LES into our community and help our nation where it is needed. *Comment #A-2*

CERTIFICATE

This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission in the matter of:

Name of Proceeding: Louisiana Energy Services
Public Meeting
Docket Number: n/a
Location: Eunice, NM

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and, thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings.


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Official Reporter
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Group B

December 16, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

I am writing to show my support for the National Enrichment Facility. I appreciate the opportunity we in Lea County have to welcome a new energy industry into this region.

Comment
#B-1

After reviewing the Draft Environmental Impact Statement, I am especially glad that the EIS found that the entire NEF process from construction, operation and decommissioning will have only a small impact on ecological resources. I am also glad that land use and air quality will not be adversely affected. That the NEF will bring a positive socioeconomic impact, particularly with respect to jobs and revenue added to the local economy, is cause to celebrate!

According to the Draft EIS, "The NRC staff recommends that, unless safety issues mandate otherwise, the proposed license be issued to LES." I completely agree. The LES has shown itself to be a good corporate citizen by contributing to local organizations that benefit the people of Lea County as well as always keeping us informed and educated about the process. The Draft EIS just confirms that the NEF really is a safe and environmentally sound project.

I urge the NRC to grant LES their license so that we in Lea County can continue planning our future with the NEF in it!

Group C

October 14, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 208555

Dear Chairman Diaz:

This letter is to show my support for the National Enrichment Facility (NEF) that is to be built near Eunice, New Mexico. It is a facility deeply needed in Lea County.

Comment
#C-1

The Draft Environmental Impact Statement (EIS) was very positive and uplifting. It shows how this facility will have a small impact and also how it will aid growth in surrounding areas. Louisiana Energy Services (LES) is a wonderful part of our community. Their contributions are widely appreciated and have not gone unnoticed by the citizens.

I am impressed to know how open this process has been. LES has been more than forthcoming with any details related to the building, operation and safety of this facility. Minds are put at ease to know how closely the Nuclear Regulatory Commission examines all aspects of this project. And the EIS is very positive for the NEF.

Comment
#C-2

I look forward to having NEF in Lea County and encourage you to swiftly approve their license application.

Group D

December 16, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

I am writing to express my continued support of the National Enrichment Facility (NEF). *Comment #D-1*

The Draft Environmental Impact Statement (EIS) was very positive for the NEF. I am especially glad that the EIS found that the entire NEF process from construction, operation and decommissioning will have only a small impact on ecological resources. I am also glad that land use and air quality will not be adversely affected.

The NEF is a great opportunity for Lea County and the United States. The Draft EIS concluded that the NEF would help to provide energy independence for America as an additional, reliable, and economical domestic source of enrichment services. According to the EIS, "This facility would contribute to the attainment of national energy security policy objectives by providing an additional source of low-enriched uranium."

This information combined with the fact that the NEF has been found to be safe and environmentally sound should lead to only one conclusion. The NEF should be built and the site outside of Eunice, New Mexico is the perfect place to build it.

We in Lea County are eagerly anticipating the National Enrichment Facility and I encourage the NRC to grant them their license quickly. *Comment #D-2*

Group E

December 16, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

I am writing to offer my continued support of the National Enrichment Facility (NEF) project that is to be built outside of Eunice, New Mexico. *Comment #E-1*

Eunice has embraced the NEF for the simple reason that we know and understand the benefits of this new industry. Many people will be offered new jobs and the payroll will come back to help the economy of our town.

The Draft Environmental Impact Statement (EIS) only helped to support our excitement at having the NEF here. Louisiana Energy Services has promised that the NEF will be a safe and environmentally sound facility and the Draft EIS backs them up on their promises completely!

I look forward to welcoming the NEF as a permanent part of our community and encourage you to approve their license application quickly. *Comment #E-2*

Group F

December 16, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

I am writing to express my continued support of the planned National Enrichment Facility (NEF). Lea County needs to diversify our economy and the NEF is a welcome opportunity to do that.

I am pleased that the recently issued Draft Environmental Impact Statement agreed with what Louisiana Energy Services has been telling the citizens of Lea County. This project really is safe and environmentally sound.

It was nice to see how much preparation goes into building a site and how carefully the Nuclear Regulatory Commission reviews all aspects of the project. That the NEF will have a small impact on such things as historical and cultural resources and land use and air quality makes it easy to extend our continued support.

I look forward to welcoming the NEF as a permanent part of our community and encourage you to approve their license application quickly.

Comment
#F-1

Comment
#F-2

Group G

December 16, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

This letter is written in support of Louisiana Energy Services license application to build and operate the National Enrichment Facility (NEF) outside of Eunice, New Mexico.

Having lived in southeastern New Mexico all my life, I can appreciate the opportunity we in Lea County have to welcome a new energy industry into our community. The NEF will give Lea County welcome relief from our overdependence on the oil and gas industries. Our community will benefit both from the new jobs and from the money the NEF will spend locally.

The Draft Environmental Impact Statement said exactly what I thought it would; that the NEF is both safe and environmentally sound.

I encourage the NRC to grant LES their license to run the National Enrichment Facility. We in Lea County are ready to welcome our new neighbor!

Comment
#G-1

Group H

December 16, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

I am writing to express my continued support of the planned National Enrichment Facility (NEF).

Comment
#H-1

I have recently had the opportunity to review the Draft Environmental Impact Statement (EIS) and am pleased that the report agreed with what Louisiana Energy Services has been telling the citizens of Lea County. This project really is safe and environmentally sound.

I also read in the Draft EIS that the NEF will help to provide energy independence for America. As an American, I am concerned about our dependence upon foreign countries for our energy needs and as a citizen of Lea County, I am glad we have been chosen to help this cause.

I look forward to welcoming the NEF as a permanent part of our community and encourage you to approve their license application quickly.

Comment
#H-2

Thank you for such a thorough and informative Draft EIS. I look forward to reviewing the final one.

Group I

December 17, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

This letter is in support of Louisiana Energy Services (LES) to obtain a license from the NRC to establish the National Enrichment Facility (NEF) near Eunice, NM.

Comment
#I-1

It was nice to see how much preparation goes into building a site and how carefully the NRC reviews all aspects of impact. That the NEF will have a small impact on such things as historical and cultural resources and land use and air quality makes it easy to extend our continued support.

The Draft EIS was very positive for the NEF. I am glad that the report found that the NEF will have only minimal environmental impact on this region. That the Draft EIS found that the NEF will have a positive socioeconomic impact on Lea County encourages our continued support.

LES has shown itself to be a good corporate citizen by contributing to local organizations that benefit the people of Lea County as well as always keeping us informed and educated about the process. The Draft EIS just confirms that the NEF really is a safe and environmentally sound project.

I fully support the NEF and hope that their licensing process continues to go smoothly so that we in Lea County can begin making plans for a future that includes the NEF.

Comment
#I-2

Group J

December 16, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

This letter is in support of Louisiana Energy Services (LES) to obtain a license from the Nuclear Regulatory Commission to establish the National Enrichment Facility in Eunice, NM.

Comment #J-1

The Draft Environmental Impact Statement (EIS) was very positive for the NEF. I am especially glad that the EIS found the NEF will have only a small impact on radiological exposures with levels significantly below regulatory limits.

LES has shown itself to be a good corporate citizen by contributing to local organizations that benefit the people of Lea County as well as always keeping us informed and educated about the process. The Draft EIS just confirms that the NEF really is a safe and environmentally sound project.

I fully support the NEF and hope that their licensing process continues to go smoothly so that we in Lea County can begin making plans for a future that includes the NEF.

Comment #J-2

Group K

October 14, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

I am writing to express my continued support of the planned National Enrichment Facility (NEF). This project and the many benefits it will bring to Lea County are very exciting.

Comment #K-1

The Draft Environmental Impact Statement (EIS) was very positive for the NEF. I am glad that the NEF will have no large negative impact on our local resources. I am also very excited about the boost to our local economy that the NEF will bring. We certainly need a more diversified economy and new jobs. The NEF will help achieve both of these.

I look forward to welcoming NEF as a permanent part of our community and encourage you to approve their license application quickly.

Comment #K-2

After reviewing the Draft EIS, I firmly believe that the NEF will be both safe and environmentally sound to the citizens of Lea County.

Group L

zoning requirements established at its chosen site in Tennessee. Officials at the federal, state, and local level in New Mexico were, unlike in Tennessee, generally favorable to the project, yet nothing of this is mentioned in the Draft EIS; rather, the process used to select the site is described as a "multi-attribute-utility-analysis methodology" (page 2-35, line 5).

Comment
#L-2 (cont.)

Seven candidate sites were eliminated because of the risk of an earthquake (Draft EIS, Table 2-7); yet the Lea County site lies in a seismically-active area near, possibly over, a geologic fault. The site in Bentonite, Alabama is said to have been eliminated because a "historic preservation assessment" may have been required (page 2-38, line 16), but seven archaeological sites have been identified at the Lea County site. The "costly relocation" of high-voltage transmission lines is cited as a reason for lowering Bellefonte's rating, but at the Lea County site is a high-pressure carbon-dioxide (CO2) gas line that would have to be relocated before the site is developed (page 2-9). Considering this, why is the Bellefonte site considered to be inferior to the Lea County site?

Comment
#L-3

NEED FOR THE FACILITY:
The Draft EIS states that "nuclear-generating capacity within the United States is expected to increase, causing an increase in demand for low-enriched uranium" (page 2-23, lines 46-47). Given the facts that (1) no new nuclear power reactor has been ordered in a quarter of a century; (2) no company has received a license to build a new reactor; (3) no company has expounded an explicit plan to build a new nuclear reactor; and (4) Wall Street does not seem to have an interest in funding a new generation of nuclear reactors, even with government support, how does the NRC justify the claim that nuclear-generating capacity is expected to increase in the United States?

Comment
#L-5

SOCIO-ECONOMIC IMPACT:
The NRC judges the socio-economic impact of the proposed NEF to be "moderate," citing benefits to Lea County and the surrounding region in the form of jobs and taxes (Draft EIS, Table 2-8, page 2-52; see also § 4.2.9.7). However, per the terms of the agreement between LES and Lea County on the \$1.8 billion in industrial revenue bonds the county offered to finance the project, LES would not have to pay any property taxes for the duration of the operational life of the NEF—roughly 30 years—and it may be exempt from other taxes as well. According to the Economic Development Corporation of Lea County, this kind of property tax exemption could be worth \$3 million over 30 years for a \$10 million project. Considering that construction of the NEF is expected to cost \$1.2 billion (Draft EIS, Table 2-8, page 2-52), what does the NRC expect the total property tax exemption for the NEF to be? Moreover, the percentage of persons in the region employed in the "Professional, Scientific, Management, Administration, and Waste Management" fields—presumably applicable to jobs that would be created at the NEF—is less than half the averages for New Mexico and Texas (Draft EIS, Table 3-15, line 27).

Comment
#L-6

***ENVIRONMENTAL JUSTICE*:**
The NRC staff judges that the impact of the NEF in the area of "environmental justice" will be "small." Yet the data are skewed by comparing the minority and low-income population percentages of the area to state averages, rather than to national averages. In fact, Hispanics make up 42.1 percent of the population of New Mexico—the highest

Comment
#L-7

Comment
#L-8

January 6, 2005

Anna Bradford

Anna Bradford:

Chief, Rules and Directives Branch
U.S. Nuclear Regulatory Commission
Mail Stop 16-D59
Washington, D.C. 20555-0001

Re: Comments on the Draft Environmental Impact Statement for the Proposed National Enrichment Facility in Lea County, New Mexico (NUREG-1750); Docket No. 70-3103

To Whom It May Concern:

The NRC has determined in its Draft EIS that the environmental impacts from building and operating a uranium enrichment facility on the site would be "small" to "moderate," and has recommended that the proposed license be issued to LES (Draft EIS, § 2.4).

However, it is my view that the Draft EIS fails to consider important factors that may contribute to substantial environmental impacts not adequately represented in this review.

Generally, the Draft EIS does not fully meet the requirement of the National Environmental Policy Act (NEPA) that each federal agency must consider in an environmental impact statement "the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity" (42 U.S.C. § 4332(c)(iv)). The cumulative hazards and dangers of the nuclear fuel cycle, nuclear power generation, and nuclear waste management weigh deserve a thorough accounting in the EIS, which is lacking in this draft version.

Specifically, the Draft EIS is insufficient in the following areas:

SITE SELECTION:

The description of LES's site selection process is misleading in that it only mentions certain objective criteria of respective sites and neglects the political situation that led to the selection of the site in New Mexico. It has been reported that Sen. Pete Domenici of New Mexico "wooed" the company to his home state when it was having trouble meeting

Comment
#L-1

Comment
#L-2

Comment
#L-8 (cont.)

percentage of any state—and 39.6 percent of the population of Lea County, but only 12.5 percent of the U.S. population at-large.

WATER RESOURCES:

In the Draft EIS, the NRC observes that the water requirements of the NEF are well within the capacity of the Eunice and Hobbs municipal water systems, but this assessment totally neglects the severe long-term water shortage problem of Lea County, as documented in the Lea County Regional Water Plan. According to water plan, groundwater in the county is being withdrawn at a greater rate than it is being recharged. The report projects a doubling of water usage by 2040 and warns that "there is physically not enough water in the Basin to maintain an annual diversion of this magnitude."

WATER QUALITY:

The site of the proposed NEF lies in the vicinity of several geologic faults, and earthquakes frequently occur around the designated NEF site, including one with a magnitude of 5.0 in 1992. Despite this, the NRC has not conducted an investigation of the possible effects of earthquakes on groundwater flow; nor has it considered the possibility of contaminant infiltration into groundwater due to such seismic activity. Furthermore, the Draft EIS appears to indicate an assumption by the NRC that the liners employed to impound the contents of the NEF's wastewater basins will retain their integrity for the duration of the facility's operation, since there is no estimate of the likelihood of liner corrosion and subsequent leakage of contaminated liquid effluents from the plant. How long does the NRC assume that the liners will contain the waste, and on what basis is this assumption made?

CLASSIFICATION OF DEPLETED URANIUM:

On page 2-27, the NRC states that "for the purpose of this Draft EIS, the NRC considers the DUf6 generated by the proposed NEF to be a Class A low-level radioactive waste as defined in 10 CFR § 61.55(a)(6)." Why is it assumed in the Draft EIS that DUf6 is low-level waste when (1) LES itself has not yet determined whether the DUf6 it produces will be considered a waste or a resource, and (2) the NRC has not finally determined the proper waste classification of depleted uranium?

DISPOSAL OF DEPLETED URANIUM:

The Draft EIS lists as a second plausible disposition strategy a scenario in which LES would pay the U.S. Department of Energy (DOE) for conversion and disposal of its waste under Section 3113 of the 1996 United States Enrichment Privatization Act which states that the DOE "shall accept for disposal low-level radioactive waste, including depleted uranium if it were ultimately determined to be low-level waste..." (Draft EIS, page 2-31; the law is codified as 42 U.S.C. § 2297h-11). But the NRC has yet to make a final determination on the waste classification of depleted uranium; this being the case, transfer to the DOE cannot be considered a plausible option for disposal of DUf6.

ATMOSPHERIC EMISSIONS:

The Draft EIS notes that the NEF would annually discharge 440 cubic meters of helium, 190 cubic meters of argon, 53 cubic meters of nitrogen, 610 liters of methylene chloride, 40 liters of ethanol, 0.8 metric tons of volatile organic compounds, 0.5 metric tons of carbon monoxide, and 5.0 metric tons of nitrogen dioxide (page 2-23, lines 4-13). What mitigation

Comment
#L-13 (cont.)

measures are in place to limit these emissions, and what negative environmental and public health impacts would their dispersal into the atmosphere contribute to?

ACCIDENTS:

The Draft EIS describes the most significant accident scenario at the proposed NEF to be an accidental release of uranium hexafluoride (UF6). NRC staff judges that the risk of such exposures would increase if the winds were from the south at the time of the accident, sending the plume of UF6 towards Hobbs and Lovington, New Mexico (Draft EIS, page 4-25, lines 21-30). The local wind patterns documented in Section 3.5.2.4 and represented in Figures 3-8 and 3-10 show that southerly winds prevail in the area; thus, the likelihood of this worst-case scenario, which is contingent upon winds from the south, is increased.

CULTURAL RESOURCES:

There are seven archaeological sites within the proposed project area, each of which has been determined to be eligible for listing in the National Register of Historic Places. Considering this, how does NRC deem the NEF's impact on cultural resources as "small"?

CONCLUSION:

In the areas described above, the NRC's Draft EIS for the National Enrichment Facility (NEF) falls short of a complete evaluation of the environmental impacts of the proposed facility as required by the National Environmental Policy Act. Until the above questions and criticisms are adequately addressed and resolved, the NRC staff's recommendation that the license for the NEF be approved is premature.

Please enter these comments into the official record on this proceeding.

Comment
#L-14

Comment
#L-15

Comment
#L-16

Group M

the scope and extent of the firm's prior involvement to expose any potential conflicts of interest that may exist.¹ (<http://ceq.eh.doe.gov/nepa/regs/40/11-19.htm>).

We believe that there was a conflict of interest in the preparation of this document as it was prepared by a private firm called Advanced Technologies and Laboratories International (ATLI). ATLI lists among its clients Westinghouse and Oak Ridge National Laboratories, at which British Nuclear Fuels Limited and Westinghouse are contractors, and others.

Westinghouse and British Nuclear Fuels Limited are members of the Louisiana Energy Services (LES) consortium, which has proposed the uranium enrichment facility for Lea County, NM. As such, ATLI would benefit from the licensure of the facility through its various associations with the organizations proposing the facility. Therefore, ATLI should not have been contracted by NRC to prepare the DEIS without a disclosure statement as required under NEPA. As no disclosure statement was released, we recommend that the DEIS be rejected and rewritten by a new organization, absent of conflict of interest issues.

Comment
#M-2 (cont.)

Moreover, Paul Abramson, one of the associate chief administrative judges on the Atomic Safety and Licensing Board (ASLB) of the NRC, which will ultimately decide whether to license the uranium enrichment facility, is a former partner of the Winston and Strawn law firm of Washington, D.C. Winston and Strawn is now the legal representative for the LES consortium. We believe that, due to his prior associations with Winston and Strawn, Mr. Abramson should be disqualified from deciding whether to issue an operating license to LES.

As a result, we find the DEIS to be inadequate, incomplete and lacking disclosure. Therefore, we make the following specific comments on the DEIS with the caveat that we are not aware of specific examples of conflicting interests within the document, and many of our concerns may be a result of conflicting interests by ATLI.

Comment
#M-3

We submit the following comments specific to the content of the DEIS and request that these issues be thoroughly addressed in the final EIS:

- 1.) The statement of Purpose and Need for the facility, found in the Executive Summary of the DEIS, states that "only about 15 and 14 percent of the enrichment services that were purchased by U.S. nuclear reactors in 2002 and 2003, respectively, were provided by enrichment plants located in the [U.S.]"² (pg. xix).
- Later, the DEIS states, "United States Enrichment Corporation, which operates uranium enrichment facilities in Portsmouth, Ohio and Paducah, Kentucky) provides approximately 56 percent of the U.S. enrichment market needs." (pg. 1-4). This is an obvious discrepancy. We request that NRC not only clarify the amount of domestically produced enriched uranium currently used, but also indicate the specific foreign sources of the enriched uranium on which the U.S. currently relies.
- 2.) The DEIS states, "The NRC staff reviewed the site selection process and determined that none of the candidate sites were obviously superior to the LES preferred site in Lea County, New Mexico, therefore no other site was selected for further analysis."³ (pg. xx)

Comment
#M-4

Comment
#M-5

Group M

January 7, 2005
By email to: nrcprep@nrc.gov
Chief, Rules and Directives Branch
U.S. Nuclear Regulatory Commission
Mail Stop T6-D59
Washington, D.C. 20555-0001

Re: Environmental Impact Statement for the Proposed National Enrichment Facility in Lea County, New Mexico: Draft Report for Comment, NUREG-1790, Docket Number 70-3103

Dear Chief,

The undersigned organizations submit the following general and specific comments regarding the Environmental Impact Statement for the Proposed National Enrichment Facility in Lea County, New Mexico: Draft Report for Comment, NUREG-1790, published September 2004, Docket Number 70-3103.

The Draft Environmental Impact Statement (DEIS) indicates that impacts from the National Enrichment Facility (NEF) will be small to moderate. Nevertheless, we know from experience at similar uranium enrichment facilities nationwide that this process can be extremely damaging, not only to surrounding communities but also to worker and public health and safety. Many of these effects cannot be estimated in the context of a DEIS. Therefore, we recommend that the Nuclear Regulatory Commission (NRC) pursue the "No Action Alternative" presented in the document.

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Furthermore, it is our belief that there was a clear conflict of interest in the preparation of the DEIS and that the document should be rejected. Section 1506.5(c) of the National Environmental Policy Act (NEPA) specifies

- 3...a consulting firm preparing an EIS must execute a disclosure statement [and] does not define Cf financial or other interest in the outcome of the project.¹ The Council interprets this term broadly to cover any known benefits other than general enhancement of professional reputation. This includes any financial benefit such as a promise of future construction or design work on the project, as well as indirect benefits the consultant is aware of (e.g., if the project would aid proposals sponsored by the firm's other clients). For example, completion of a highway project may encourage construction of a shopping center or industrial park from which the consultant stands to benefit. If a consulting firm is aware that it has such an interest in the decision on the proposal, it should be disqualified from preparing the EIS, to preserve the objectivity and integrity of the NEPA process.
- ³When a consulting firm has been involved in developing initial data and plans for the project, but does not have any financial or other interest in the outcome of the decision, it need not be disqualified from preparing the EIS. However, a disclosure statement in the draft EIS should clearly state

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<p>This statement is patently false, as it is well known that two sites were investigated prior to the selection of Lea County, New Mexico. The NRC ASLB charged LES with environmental racism during the license application process for a similar facility in Louisiana. LES later withdrew its license application. Further, LES withdrew its interest in proposing a similar facility for Hartselle, Tennessee after public officials in the area refused to allow it to locate there. (http://www.nirs.org). In the interest of full disclosure and providing a clear picture of the history of LES and NEF, we request that the NRC include this information in the EIS.</p>	<p>Comment #M-5 (cont.)</p>	<p>NRC responded that there would be inspectors during construction and periodically during operations. (Official Transcript of Proceedings, Nuclear Regulatory Commission, Louisiana Energy Services National Enrichment Facility Public Meeting on the EIS, Docket Number 71-3103, pg. 125, lines 8-13).</p> <p>The DEIS fails to outline NRC's proposed inspection schedules and procedures, saying only, "The NRC is responsible for regulating the activities performed within the proposed NEF through its licensing review process and subsequent inspection program." (1-19). NRC's inspection program must be outlined in either the final EIS or the Safety Evaluation Report (SER). If it is outlined in the SER, we request that the public be allowed to review and comment on the SER in order to make certain that NRC is adequately ensuring the health and safety of community members through proper and timely inspections.</p>	<p>Comment #M-11 (cont.)</p>
<p>3.) Please indicate in the sidebar entitled, "Determination of the Significance of Potential Environmental Impacts" on pg. xx, the number of Latent Cancer Fatality (LCFs) that are considered "small," "moderate," or "large." On pg. xxiii, the DEIS indicates that there will be two LCFs over the lifetime of the NEF as a result of vehicle emissions during shipment of materials to and from the NEF. Although NRC considers this a "small" impact, others may disagree. Please explain how this determination is made, providing methodology used.</p>	<p>Comment #M-6</p>	<p>8.) The DEIS indicates that the NEF will include a Visitor Center near the boundary of the facility. (pg. 2-4). Do dose estimates in the DEIS include estimated exposure to workers at the Visitor Center and community members that use the Visitor Center? If so, please specify more clearly which exposure estimates are specifically related to the Visitor Center. If not, please include dose estimates for workers at or community members using the Visitor Center and clearly indicate that those estimates relate to the Visitor Center.</p>	<p>Comment #M-12</p>
<p>4.) Please correct the spelling of "predominantly" on page xxii.</p>	<p>Comment #M-7</p>	<p>9.) The DEIS indicates that the NEF will be constructed on 611,000 cubic meters of fill. (pg. 2-8). Structures built on fill can occasionally experience settling and structural movement that may compromise the integrity of the facility.</p> <p>We understand that with regard to the earthwork required to construct the facility, some portion of the facility would be built on fill (embankment) and some on cut (excavation) areas. This is not uncommon and can be accomplished with good results as long as the material is adequate for the intended purposes (generally clays are bad and silty sands, sand and gravelly materials are good).</p> <p>It is also important that earthwork operations are monitored closely to ensure that the embankments are placed and compacted properly. We understand that these large construction projects where many contractors are working simultaneously and usually quickly because of deadlines, oversight is not what it should be and problems due to settlement from improper compaction appear following construction.</p> <p>We request that NRC include its plans for inspection during construction, including a requirement for inspecting the earthwork operations required to construct the NEF, in order to ensure the structural stability of the facility. Furthermore, we request that any contractor for this project will perform the greatest oversight possible.</p>	<p>Comment #M-13</p>
<p>5.) Assuming peak production at the NEF during the entire projected 30-year lifetime of the facility, a generous estimate, the NEF would produce 3,270,000 separative work units (SWUs) of enriched uranium per year. (pg. 2-6). This represents an average of approximately 24% of the total enriched uranium required for the U.S. as estimated by the Energy Information Agency. (pg. 1-4). This number will be far smaller considering that NEF will reach peak operating capacity for only 14 years, from 2013 to 2027. This means that, according to pg. 1-4, more than 20% of U.S. enriched uranium needs will continue to be fulfilled by foreign sources for at least 16 years during the lifetime of the facility.</p> <p>Given this information, please explain how NEF is anticipated to increase U.S. independence from foreign enriched uranium sources. Please provide a table showing the total estimated amount of enriched uranium that will be required for U.S. energy production by year as compared to the amount that will be produced by NEF.</p>	<p>Comment #M-8</p>	<p>10.) The DEIS states that approximately 25 miles of pipeline would be constructed in order to provide the NEF with potable water. (pg. 2-14). The environmental impacts of the construction of this pipeline should be included in the final EIS.</p>	<p>Comment #M-14</p>
<p>6.) Please define the phrases used on pg. 1-5, "short-term uses of the environment" and "long-term productivity." If 30 years, the operating lifetime of the facility, is considered "long-term," then should many of the environmental effects of the NEF, particularly the constant emissions of uranium to the air and water, also be considered "long-term" and the impacts thereof considered as such? Please identify points in the document in which these are being considered.</p>	<p>Comment #M-10</p>	<p>11.) LES argued at the March 4, 2004 EIS scoping meeting in Eunice, New</p>	<p>Comment #M15</p>
<p>7.) During the EIS scoping process, at a public meeting conducted in Eunice, New Mexico on March 4, 2004, commentator Pat McCasland asked whether NRC would provide a full-time inspector for the facility. Tim Johnson, of</p>	<p>Comment #M-11</p>		

<p>Mexico that impacts on the Eunice and Hobbs municipal water systems would be minimal given that the facility would use an average 72 acre-feet of water per year. This argument, while technically correct, is disingenuous.</p> <p>The DEIS states, the average and peak potable water requirements for operation of the proposed NEF would be approximately 63,423 gallons per day (72 acre-feet) average and 539,000 gallons per day at peak operation. (pg. 2-14). Therefore, during 14-years of peak operation, from 2013 to 2027, NEF will be using nearly 604 acre-feet of water per year.</p> <p>Although the DEIS estimates that the impacts of the NEF on the Eunice and Hobbs water supplies will be small, the DEIS does not clarify if this determination is made according to the 72 acre-feet per year average estimate, or 604 acre-feet per year peak estimate. The final EIS must include a detailed, yearly water usage plan for the NEF, incorporating the impacts of the NEF according to its actual usage and future water demand and availability.</p>	<p>Comment #M-15 (cont.)</p>
<p>12.) The DEIS indicates that the NEF will require 30 megawatts of electricity to be supplied through two new synchronized 115-kilovolt overhead transmission lines. These lines would have to be constructed, and would require that two new independent substations be constructed by Xcel Energy, which supplies the area with energy. Additional power-support structures would be installed along the highway near the NEF. (pg. 2-14). Please include any environmental impacts expected as a result of this construction.</p>	<p>Comment #M-16</p>
<p>13.) The DEIS states, "Waste treatment systems, including treatment ponds or lagoons designed to meet requirements of the Clean Water Act (other than cooling ponds as defined in 40 CFR § 423.11 (m) which also meet the criteria of this definition), are not surface waters of the State, unless they were originally created in surface waters of the State or resulted in the impoundment of surface waters of the State. (NMMQCC, 2002).² (pg. 2-21).</p> <p>Does this mean that the State of New Mexico does not have authority over permitting and/or regulating the waste treatment systems, treatment ponds or lagoons associated with the NEF? If not, who will have such authority?</p>	<p>Comment #M-17</p>
<p>14.) The DEIS mentions several times the possibility of locating a private depleted uranium hexafluoride (DUHF6) conversion facility near the NEF. (pg. 2-30). We believe that this option is far too speculative to be considered an option for conversion. Further, such a requirement would not fulfill the requirements of the State of New Mexico, as the waste from the NEF would remain in New Mexico, albeit moved offsite, which would be contrary to assurances to Governor Bill Richardson by LES. This proposal is not a sufficient conversion option and should not be considered further.</p>	<p>Comment #M-18</p>
<p>15.) In its discussion of waste conversion and disposal options (pp. 2-27 - 2-33), the DEIS mentions Envirocare in Utah and U.S. Ecology in Richland, Washington as two potential sites to which to ship the tritium oxide (U3O8) produced as a result of conversion of DUHF6 at the potential conversion facility at ConverDyne in Metropolis, Illinois.</p> <p>The DEIS does not indicate that negotiations between LES and any of these facilities are underway. Without the consent and participation of these facilities, there is no viable solution to the waste problem that NEF</p>	<p>Comment #M-19</p>

<p>presents. The State of New Mexico, and the citizens it represents, has asked multiple times that an NRC operating license not be granted to LES unless a viable waste solution is presented.</p> <p>LES must provide NRC a documented waste disposal solution otherwise all waste disposal plans included in the DEIS are speculative and do not meet NRC requirements. A thorough, complete and feasible waste disposal plan must be included in the final EIS, including all negotiations between LES and the facilities that will be converting and disposing of the large quantities of waste.</p>	<p>Comment #M-19 (cont.)</p>
<p>16.) In its discussion of waste disposal options, the DEIS says repeatedly that "the NEF would not be able to ship depleted uranium directly to² Barnwell, SC, Nevada Test Site or Waste Control Specialists (WCS). (pg. 2-32, emphasis added). Are there instances in which such waste could be shipped indirectly to Barnwell, Nevada Test Site, or WCS?</p> <p>For example, if the Department of Energy (DOE) were to take ownership of this waste, could it be shipped to the Nevada Test Site? Is NRC obliquely referring to the Congressional initiative proposed by Senator Pete Domenici that would require the DOE to take ownership of the depleted uranium waste generated by the NEF? If this is the case, we request that NRC be more explicit in its discussion of these waste disposition options and thoroughly outline this proposal by Senator Domenici and analyze its environmental impacts.</p>	<p>Comment #M-20</p>
<p>17.) The DEIS states that sites under consideration by LES were disqualified if they were in proximity to operating nuclear power plants because they would require additional security measures. (pg. 2-35). How did this rationale not disqualify the Lea County, New Mexico site given that it is approximately 60 miles away from the Waste Isolation Pilot Plant (WIPP), which is an operating nuclear waste repository for plutonium contaminated waste that may require additional security measures as well?</p>	<p>Comment #M-21</p>
<p>18.) The Bellefonte, Alabama site was removed from consideration for location of the NEF because it would necessitate relocating high-voltage transmission lines that cross the proposed site. (pg. 2-38). Similarly, the Lea County, New Mexico site would necessitate relocation of a high-pressure carbon dioxide pipeline that crosses the site. Why does this fact not remove the Lea County, New Mexico site from consideration? The final DEIS should outline the methods by which this relocation will be funded and the potential environmental impacts from this relocation.</p>	<p>Comment #M-22</p>
<p>19.) The DEIS states that the Carlsbad, New Mexico site was disqualified because soil on the site is contaminated with oils, solvents and industrial waste products as a result of potash mining and oil-field welding services in the area. (pg. 2-38).</p> <p>The DEIS does not make mention of the effects of the oil and gas industry, which is also prominent in Lea County, New Mexico, on the soil characteristics at the proposed NEF site in Section 3: Affected Environment. Please include a soils chemistry analysis including potential oil and gas contamination for the NEF site in Lea County, New Mexico.</p>	<p>Comment #M-23</p>
<p>20.) The DEIS states that the Carlsbad, New Mexico site was disqualified because LES would have to pay for Xcel Energy to install new transmission</p>	<p>Comment #M-24</p>

<p>lines and a new substation to service the NEF (pg. 2-39). The same is true of the Lea County, New Mexico site, (see #12 above). We believe that this should disqualify the Lea County, New Mexico site as well.</p>	<p>Comment #M-24 (cont.)</p>
<p>21.) The DEIS states, "Consequently, the NRC staff has assumed that all of the DUF6 to be generated by the proposed NEF would be converted to U3O8 and disposed of in a licensed disposal facility." (pg. 2-44). Given that the DEIS never once details a viable disposal option, but rather a myriad of incomplete and speculative options proposed by LES but not verified, why does NRC assume this? Given the limited information in the DEIS, there is no foundation for such an assumption. Please provide more substantial rationale for this assumption.</p>	<p>Comment #M-25</p>
<p>22.) Because storm events and their effects are not limited to their immediate vicinity, we request that NRC expand the meteorological investigation to a 50-mile radius surrounding the proposed NEF site in Section 3.5.2.5: Severe Weather Conditions. (pg. 3-19). The proposed site could be adversely affected by flash flooding and high winds generated by tornadoes that occur in the vicinity of the NEF, although not on the site specifically.</p>	<p>Comment #M-26</p>
<p>23.) In NRC's analysis of tornado frequency and effects on pg. 3-19, we request that NRC include data collected from Andrews County, Texas as Andrews County is very close to the NEF site and high winds generated by a tornado in Andrews County may affect the NEF site.</p>	<p>Comment #M-27</p>
<p>24.) There have been 88 tornadoes in Lea County, New Mexico since 1954. Those tornadoes have caused more than \$26,000,000 in damage. (http://www4.ncdc.noaa.gov/cgi-win/wwwcgl.dll?wvEvent-Storms~nm-lea-tornado). Given this information, NRC must justify the statement, "All the reported tornadoes were associated with very light damage." (pg. 3-19).</p>	<p>Comment #M-28</p>
<p>25.) The "Description of Alternative Sites" on pg. 2-38 of the DEIS indicates that the Carlsbad, New Mexico site was disqualified because of prior environmental contamination on the site as a result of potash mining and the oil and gas industry. Was this determination made based only on soil contamination or also ground and surface water contamination?</p>	<p>Comment #M-29</p>
<p>Table 3-11. "Chemical Analysis of Proposed NEF Site Ground Water." (pg. 3-42) indicates that there are eight ground water contaminants in the ground water on the proposed NEF site that exceed a regulatory standard up to five times, including total dissolved solids, iron, manganese, gross alpha and uranium-234. Why does this contamination not preclude the Lea County, New Mexico site from consideration for the NEF?</p>	<p>Comment #M-30</p>
<p>26.) A letter in Appendix B from Lisa Kirkpatrick, Chief of the Conservation Services Division of the Department of Game and Fish of the State of New Mexico, states in regard to the threatened sand dune lizard, "if there is in fact suitable habitat, the Department requests information as to the qualifications of the individual(s) conducting the survey. Sand dune lizards are extremely difficult to identify and there are only a very few people qualified to conduct a presence/absence survey. October is rather late in the year for a survey; the lizards are likely to be dormant at that time." (pg. B-45)</p>	<p>Comment #M-31</p>

<p>The DEIS does not directly address Ms. Kirkpatrick's concerns in its discussion of ecological resources on pg. 3-48. Who conducted the survey for the sand dune lizard and what were their qualifications? Was an additional survey performed when the lizard was more likely to be active? What was the result of that survey?</p>	<p>Comment #M-31 (cont.)</p>
<p>27.) Ms. Kirkpatrick also expressed concerns about the impacts of the NEF on the lesser prairie chicken, a federal Species of Concern, saying, "According to our prairie chicken biologist, the area around the project has not been adequately surveyed for lek sites ... Lesser prairie chickens will use an area within two miles of the lek for nesting and rearing. Birds have been reported from the Eunice area. Since there is a large acreage of contiguous habitat, and a lek within four miles, it is reasonable to assume these birds may be impacted by development." (pg. B-46).</p> <p>Again, the DEIS does not directly address Ms. Kirkpatrick's concerns in its discussion of ecological resources on pg. 3-47. The NRC should integrate Ms. Kirkpatrick's assessment more thoroughly in its discussion of the lesser prairie chicken.</p>	<p>Comment #M-32</p>
<p>28.) Figure 3-29, "Population Density Surrounding the Proposed NEF Site" (pg. 3-51) seems to indicate that there is a population density of 110,000 to 120,000 in a small area in the North-Northwest sector around the proposed NEF site. Certainly this is not correct, as that sector would exceed the reported population density of all of Lea County. Please correct this figure.</p>	<p>Comment #M-33</p>
<p>29.) The U.S. Census of 2000 states that of the populations of the cities of Hobbs, Eunice and Jal, on average 65.4% have completed high school and only 10.4% have attained a Bachelor's degree or higher. This is far lower than the statewide averages of 78.9% and 23.5% respectively. (http://quickfacts.census.gov/qfd/states/35000.html). The DEIS mentions this fact, stating, "The population surrounding the proposed NEF site generally has a lower level of educational attainment than the State averages." (pg. 3-53).</p> <p>However, this information is not mentioned when considering the socioeconomic impacts of the NEF in Section 4.2.8 on pg. 4-19. What level of educational achievement will be required to fill the positions created by the NEF? Please include this information divided into each of the job types the NEF is expected to create, construction, management, professional, skilled and administrative. How many of these jobs will not be able to be filled in the vicinity of the NEF and will have to be imported from surrounding communities? What effects will that have on the overall socioeconomic impact of the NEF?</p>	<p>Comment #M-34</p>
<p>30.) In the analysis of Environmental Justice impacts of the proposed NEF, the DEIS states, "It should be noted that for this analysis, the State was used as the area of geographic comparison." (pg. 3-62). We request that the final EIS evaluate environmental justice issues in geographic comparison with national rates given that the NEF is a project that was considered for multiple sites nationwide, not only in the State of New Mexico.</p> <p>Residents of the State of New Mexico must be assured that the site was not chosen for its abnormally high minority and low-income populations, which in the area of influence, represent 48.3% and 20% of the population</p>	<p>Comment #M-35</p>

<p>respectively. Compared with national averages of 30.9% and 12.4% respectively, it is clear that Lea County is home to a disproportionately large number of minority and low-income community members and thus will be impacted disproportionately by the construction and operation of the NEF. Therefore, NRC must justify its claim on pg. 4-26 that environmental justice impacts would be small.</p>	<p>Comment #M-35 (cont.)</p>
<p>31.) The DEIS states in Section 4.2.2, "Historical and Cultural Resources Impacts," that a Memorandum of Agreement will be developed between LES, the New Mexico State Historic Preservation Office, the New Mexico State Land Office, the Advisory Council on Historic Preservation, NRC and Lea County to address the seven sites on the proposed NEF site that are considered eligible for listing on the National Register of Historic Places. The Memorandum will record the terms and conditions agreed upon between the consulting parties to resolve adverse effects to historic properties at the proposed NEF site. (pg. 4-4). We request that this Memorandum be included in the final EIS.</p>	<p>Comment #M-36</p>
<p>32.) In Section 4.2.4, "Air Quality Impacts," the DEIS states, "Because the diesel generators have the potential to emit more than 91 metric tons (100 tons) per year of a regulated air pollutant, LES proposes to run these diesel generators only a limited number of hours per year for the above emission rates to avoid being classified as a Clean Air Act Title V source." (pg. 4-9). What is the basis for this statement? How will this be verified? What disciplinary measures will be taken should LES exceed its 91 metric ton standard and who will be responsible for implementing disciplinary action?</p>	<p>Comment #M-37</p>
<p>We recommend that as a mitigation measure, LES be required to obtain a Clean Air Act Title V permit regardless of its assurances that these generators will not exceed the 91 metric ton standard.</p>	<p>Comment #M-38</p>
<p>33.) In Section 4.2.5.1, "Site Preparation and Construction," the DEIS states, "Although not presently foreseen, if final design studies indicate the necessity to extend footings through the sand into the Chinle Formation, then more soils would be disturbed and the clay layer could be penetrated." (pg. 4-10). Such action may compromise the integrity of the Chinle Formation, which was shown through visual inspection to be continuous, solid and tight with few fracture planes. (pg. 3-35).</p>	<p>Comment #M-39</p>
<p>NRC claims that, "Using the largest measured Chinle Formation permeability, vertical ground water velocity through the clay is conservatively estimated as 0.04 meters per year (0.13 feet per year); the resulting travel time from the surface of the clay to its base (the top of the Santa Rosa Formation) would be greater than 8,000 years." (pg. 3-36). Would penetrating the Chinle Formation, and possibly creating fractures in the formation, change this estimate? How would travel times be increased if permeability of the Chinle Formation were increased as a result of penetration?</p>	<p>Comment #M-40</p>
<p>34.) The DEIS indicates that wastewater will be disposed of through evaporation in the Treated Effluent Evaporative Basin, the UBC Storage Pad Stormwater Retention Basin and the Site Stormwater Detention Basin. The DEIS states, "Net evaporation/transportation is estimated at 65 inches per year." (pg. 3-32). The DEIS also estimates monthly evaporation of 6.7 inches per month. (pg. 4-13). This figure is incorrect as, assuming that NRC estimated the inches per month figure by dividing 65 inches per year by</p>	<p>Comment #M-41</p>

<p>12 months, evaporation would, in fact, be 5.4 inches per year, not 6.7 inches per year.</p> <p>Furthermore, due to the monsoon rain season, there are several months during the summer when evaporation could be much lower than this net estimation. This is of particular concern when considering the UBC Storage Pad Stormwater Retention Basin. The DEIS states that this basin will receive 5.1 million gallons of effluent annually, but will be dry for 11 to 12 months per year due to precipitation and evaporation. (pg. 4-13). The basin will receive not only stormwater runoff but also cooling tower blowdown water.</p> <p>Please state the amount of wastewater in this basin that is expected to be cooling tower blowdown water? Please include monthly averages for the amount of cooling tower blowdown water expected to be stored in the UBC Storage Pad Stormwater Retention Basin as compared to the monthly amount of anticipated evaporation, taking into consideration low evaporation rates during wetter months. Please include this information as presented in the water balance prepared by LES for the NEF.</p>	<p>Comment #M-41 (cont.)</p>
<p>35.) NRC should require a shielding structure around each evaporative pond and basin to ensure that dry solids remaining in those ponds and basins on the NEF site are not vulnerable to being scattered by the high and strong winds that are prevalent in the area.</p>	<p>Comment #M-42</p>
<p>36.) In Section 4.2.8.2, Operations: Employment and Economic Activity, the DEIS states, "Ten percent of the skilled positions are expected to be in management, 20 percent in professional occupations, 60 percent in various skilled positions, and 10 percent in administrative positions." (pg. 4-21). According to these percentages, the average 210 permanent operating employees would consist of 21 managers, 42 professional employees, 126 skilled employees and 21 administrators. The DEIS states that this is approximately 1% of the workforce in Lea, Andrews and Gaines Counties, and thus the NEF would have a moderate impact on the socioeconomic of the area.</p> <p>However, as much as 60% of the workforce is expected to come from outside of the area of influence, according to the DEIS, which states, "The majority of these higher paying skilled jobs would be expected to be filled outside of the immediate area surrounding the proposed site, but within the [75-mile] region of influence...." (pg. 4-19). A 75-mile radius around the site would include Eddy and Chavez Counties in New Mexico and Cochran, Culberson, Davison, Ecktor, Hockley, Loving, Lynne, Martin, Midland, Reeves, Terry, Yoakum and Winkler Counties in Texas. Therefore, given that these counties may provide the majority of the workforce, they must be included in the analysis of socioeconomic impact. This may effect the 1%-figure mentioned above and thus the impact estimated by NRC may be much smaller.</p>	<p>Comment #M-43</p>
<p>36.) In Section 4.2.8.3, Employment and Economic Activity Mitigation Measures, the DEIS states, "Educational programs coordinated by LES with local colleges would help develop a pool of qualified local workers." (pg. 4-22). This measure is an effort to draw more highly skilled technical workers from the area. Please include any communication between local colleges and LES in developing these educational programs. Also, please document the capacity for these local colleges to train the workforce in nuclear materials handling and uranium enrichment processes. Are these local colleges prepared to handle such curriculum? If not, when will they be and</p>	<p>Comment #M-44</p>

<p>how will those preparations be funded?</p> <p>37.) Pg. 4-24 of the DEIS states that the NEF will use up to 687 million gallons of water from the Ogallala aquifer over its lifetime, while pg. 4-15 states that the NEF will use 695 million gallons of water from the Ogallala aquifer over its lifetime. Please explain this discrepancy. How much water from the Ogallala aquifer will the NEF use over its lifetime?</p>	<p>Comment #M-44 (cont.) Comment #M-45</p>
<p>38.) The DEIS states, "The DUF6 would be placed in Type 48Y cylinders for either temporary storage onsite or shipment offsite. If the DUF6 were shipped offsite, 157 rail shipments with four cylinders per railcar would be used to transport the cylinders to Paducah, Kentucky; Portsmouth, Ohio; or Metropolis, Illinois, where it would be converted into U3O8. After conversion, the U3O8 would be shipped from either Paducah or Portsmouth to Envirocare in Clive, Utah, or the Nevada Test Site for disposal or it would be shipped to Envirocare from Metropolis in gondola railcars with four bulk bags per car. The hydrofluoric acid generated during the process of converting the DUF6 to U3O8 could be reused in the process of generating UF6 or neutralized to CaF2 for potential disposal at the same site as the U3O8. If the DUF6 were converted to the more chemically stable form of U3O8 at an adjacent conversion facility to the proposed NEF, the conversion products of U3O8 and CaF2 would be shipped to a disposal site in 137 and 116 gondola railcars respectively." (pg. 4-37)</p> <p>Not only is this paragraph so poorly written as to be nearly unintelligible, but it also illustrates clearly that the NEF proposed by LES is ill-planned, ill-conceived, ill-timed and ill-prepared. It is clear from this paragraph that LES has no plans whatsoever for disposal of the waste to be generated by the NEF. Although it has outlined its options, not a single option has been identified as a realistic solution to the thousands of tons of waste to be generated by the facility.</p>	<p>Comment #M-46</p>
<p>The problems that we note include the fact that there is no private conversion facility for the waste and that no private conversion facility is planned. There is no disposal facility for the converted waste and the only disposal facility contacted by LES or NRC in the preparation of this DEIS is Envirocare of Utah. Their response to this proposal is not documented in the DEIS.</p> <p>Also, the DEIS unfairly considers DOE disposal a viable solution, although the energy bill that includes the provision that would pass ownership of LES waste to DOE has been stalled in Congress for more than one year. Furthermore, the provision is widely contentious, not only among the public but also among members of Congress.</p> <p>Given the fact that LES has clearly not defined its solution to the waste problem, we believe that it is extremely premature for the NRC to issue any preliminary recommendations about the NEF, as it does on pg. 2-44, saying, "The NRC staff recommends that, unless safety issues mandate otherwise, the proposed license be issued to LES." NRC has clearly made this determination without reviewing a clear and detailed plan for one of the most critical environmental and safety concerns regarding the NEF, waste disposition. NRC should be more thorough and careful in its determinations when considering the waste problem than it is in the DEIS.</p> <p>NRC is showing blatant disregard for the people of the State of New Mexico,</p>	<p>Comment #M-47</p>

<p>which has made it clear from the initial proposal by LES that support for the project is contingent upon a viable waste solution. NRC ignores completely the fact that the DEIS in no way presents a viable waste solution. Therefore, we respectfully disagree with NRC and believe that no operating license should be issued to LES until such time that the waste problem is solved and disposition plans be detailed clearly, including the location of a conversion facility and a location for permanent disposal outside of the State of New Mexico.</p> <p>We believe that the NEF should not and cannot progress until there are assurances from owners and/or operators of a conversion facility and disposition facility, including contracts, construction plans, environmental impact statements, etc.</p>	<p>Comment #M-47 (cont.)</p>
<p>As the waste disposition proposal by LES is clearly inadequate and may do nothing to remove the waste from the NEF site, we request that NRC outline the potential environmental impacts of indefinite storage of UBC tails on the proposed NEF site. This should include an analysis of corrosion of storage containers and its effects on soil, groundwater and air quality at the NEF site and within a 50-mile radius. Further, the analysis should include cumulative health effects on community members within a 50-mile radius of the site as a result of indefinite storage of this waste.</p> <p>39.) Table 4-12, "Estimated Occupational Dose Rates for Various Locations or Buildings Within the Proposed NEF," indicates that empty used UF6 shipping cylinders would release less radioactivity than full UF6 shipping containers (10 millirem per hour and 5 millirem per hour respectively). (pg. 4-46). This is counterintuitive. Please explain in the final EIS why this is the case.</p>	<p>Comment #M-48</p>
<p>40.) We oppose NRC's considering a conversion facility adjacent to the NEF as a viable waste conversion strategy and believe that it should not be considered in the context of the DEIS.</p> <p>However, if it continues to be considered, its environmental effects must be considered cumulatively with those of the NEF. The DEIS states, "Therefore, the NRC staff considers the impacts for these resources from the construction and operation of an adjacent conversion facility to be bounded by the impacts considered in this [DEIS] for the proposed NEF." (pg. 4-55). While the environmental effects of a conversion facility may not exceed those of the NEF, they would also not occur independently of the environmental effects of the NEF and must be considered cumulatively.</p>	<p>Comment #M-50</p>
<p>41.) The DEIS states that the evaporative ponds and retention basins around the site will create pools of perched water in the ground beneath the site. (pg. 4-13). The water is not expected to migrate and LES estimates, optimistically, that most of it will be absorbed in the root systems of vegetation in the area. We believe that there must be a method for monitoring the perched water that will be created by these ponds. NRC must include this information in Section 6, Environmental Measurements and Monitoring Programs.</p>	<p>Comment #M-51</p>
<p>42.) Who will be collecting and analyzing the environmental samples from the NEF site? Will this be an independent contractor to the NRC or LES itself? If it is expected to be LES, we are concerned about the independence and credibility of the results. Will there be quality control</p>	<p>Comment #M-52</p>

<p>and assurance measures implemented by NRC, or will the contractors responsible for quality control and assurance (listed on pg. 6-14) be enlisted by LES?</p>	<p>Comment #M-52 (cont.)</p>	<p>the DEIS? The DEIS states that the NRC will evaluate the adequacy of this figure in the SER. We request that disposition costs be considered with due consideration to inflation in the SER.</p>	<p>Comment #M-59 (cont.)</p>
<p>43.) The DEIS states, "Each year, the proposed NEF would submit a summary report of the Environmental Sampling Program to NRC." (pg. 6-14). How will this information be made available to the State of New Mexico and the public? How will the State of New Mexico and the public participate in environmental oversight of the facility?</p>	<p>Comment #M-53</p>	<p>50.) The DEIS indicates that Convergdyne and U.S. Ecology were not consulted in the production of the DEIS. (pg. 8-3) If their facilities are considered options for conversion and disposal, should they not be consulted in the production of this document? They must be consulted in the production of the final EIS and their response to LES's proposals must be included.</p>	<p>Comment #M-60</p>
<p>44.) The DEIS indicates that ground water monitoring wells will monitor at the 220 foot zone. (pg. 6-13). However, the DEIS also states, "[T]he first occurrence of a well-defined aquifer capable of producing significant volumes of water is the Santa Rosa Formation." (pg. 3-36). Will there be any monitoring of the ground water in the Santa Rosa Formation, which is located at approximately 1,115 feet below the ground surface?</p>	<p>Comment #M-54</p>	<p>51.) The DEIS overlooks a critical comment received during its scoping period, which recommends that LES and NRC consult the Western Interstate Energy Board, which is responsible for communication and cooperation among its membership with specific regard to the development and management of nuclear energy products. (Scoping Summary Report, pg. 11). Why was this Board not consulted? We reiterate the request that the Board be consulted and their analysis of the proposal be included in the final EIS.</p>	<p>Comment #M-61</p>
<p>45.) The DEIS states, "The limits [on chemical discharges] would be specified in the U.S. Environmental Protection Agency (EPA) Region 6 National Pollutant Discharge Elimination System (NPDES) General Discharge Permits as well as the New Mexico Environment Department/Water Quality Bureau Ground-Water Discharge Permit/Plan. Therefore this [DEIS] does not specify administrative action levels for physiochemical constituents." (pg. 6-15).</p>	<p>Comment #M-55</p>	<p>53.) The DEIS notes that the SER will outline safety evaluation and procedural requirements or license conditions to ensure the protection of the health and safety of workers and the general public. The SER will also address the adequacy of funding provided by LES in compliance with NRC's financial assurance regulations. We request that the SER also thoroughly address the emergency preparedness of first responders in the Lea and Eddy Counties in New Mexico and Andrews County in Texas. This analysis must also address the adequacy of the Lea County Regional Medical Center, which according to the DEIS has a capacity for only 250 patients (pg. 3-56), which may be far fewer than those who would be impacted in case of emergency at the NEF.</p>	<p>Comment #M-62</p>
<p>LES must consult with EPA Region 6 and the New Mexico Environment Department prior to the production of the final EIS to determine the administrative action levels for physiochemical constituents according to each agency and report those levels for NRC to consider when determining whether to license this facility. Without this information, impacts of the NEF on surface and ground water resources is incomplete, and therefore NRC cannot adequately determine whether to license the facility.</p>	<p>Comment #M-56</p>	<p>Also, the SER must address the adequacy of the fire and police departments of Lea and Eddy Counties in New Mexico and Andrews County in Texas to address potential radiological emergencies at the NEF. Who will provide funding for the proper equipment and training for these departments? What are the capacities of additional response services, including hospitals, in surrounding communities?</p>	<p>Comment #M-63</p>
<p>46.) The DEIS states regarding effluent monitoring, which includes air and water, "Corrective actions would be instituted when an administrative action level is exceeded for any of the measured parameters..." (pg. 6-19). What agency will oversee these corrective actions and what will these corrective actions be? Is there a mechanism in place for an operating license to be suspended or revoked? Please clarify what safeguards are in place should environmental emissions of radioactive and hazardous constituents exceed federal and/or state regulatory standards.</p>	<p>Comment #M-57</p>	<p>Through personal communication with Tim Johnson, of NRC, we have learned that the SER will not be released for public comment as per NRC's internal protocol. What is NRC's rationale for this protocol? Is there a regulatory requirement for producing the SER? If so, which regulatory agency authorizes the SER? If not, is it simply an NRC initiated document? Will the information contained in the SER be sensitive or classified, thus necessitating that there be no public comment period? We request that the SER be released for a thorough public review and comment period.</p>	<p>Comment #M-64</p>
<p>47.) Would environmental monitoring at the NEF site continue beyond decontamination and decommissioning activities? Who would be responsible for long-term stewardship of the site?</p>	<p>Comment #M-58</p>	<p>53.) In a letter to NRC, Cheryl Eckhardt, of the United States Department of the Interior, noted that several Urban Park and Recreation Recovery Programs in the Eunice and Hobbs area may be adversely affected by the NEF. (pg. B-42). Has LES addressed Ms. Eckhardt's concerns? How have these potential effects been mitigated?</p>	<p>Comment #M-65</p>
<p>48.) In Section 7, Cost-Benefit Analysis (pg. 7-5), the DEIS states that DUFG disposition will cost approximately \$5.50 per 2.2 pounds or \$731 million in 2002 dollars. In order to gauge accurately the benefit of the NEF, NRC must also include the amount of enriched uranium estimated to be produced by the facility and the amount of profit LES anticipates that it will earn through its sale per pound.</p>	<p>Comment #M-59</p>	<p>54.) Table C-2, "Population Within 80 Kilometers (50 Miles) of the Proposed NEF," (pg. C-5) seems to be inaccurate in the same way as noted in comment #28 above. Please correct this error.</p>	<p>Comment #M-66</p>

Comment
#M-72 (cont.)

assume that the threshold theory is applicable when considering radiation exposures to members of the public during transportation of materials to and from the NEF.

We reiterate our request that NRC pursue the No Action Alternative in the case of the NEF.

Thank you for your consideration of our comments. We request that NRC enter these comments into the official record of the proceeding. Should you have any questions or comments, please contact Amy Williams, of Concerned Citizens for Nuclear Safety.

Sincerely,
Amy Williams
Media Network Coordinator
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Coila Ash
Director

Comment
#M-67

55.) In Table C-3, ¹ingestion Parameters Used in GENII to Calculate Collective Radiological Dose to the Public, (pg. C-6), please clarify the heading of the fourth column, ²Holdup Time, in laypersons' terms.

Comment
#M-68

56.) Section C.4.1.1, ³Selection of Representative Accident Scenarios, include only an analysis of the effects of an earthquake on the NEF. Given that there have been 120 tornadoes in Lea and Andrews Counties since 1954, as noted above, we request that NRC also evaluate for effects related to tornadoes within the vicinity of the NEF.

Comment
#M-69

57.) Section C.4.2.1, ⁴Inadvertent Nuclear Criticality, outlines the potential consequences of an inadvertent nuclear criticality incident at the NEF, postulated to be the accident scenario with the most severe consequences. (pg. C-22). What are the chances of this type of an accident? Has this type of accident occurred before in similar facilities?

Comment
#M-70

58.) The DEIS claims that in the event of an inadvertent nuclear criticality, the west sector of Eunice would be most effected because it is closest to the facility and ⁵short-lived radionuclides⁶ would not have completely decayed before reaching the west sector. (pg. C-23)

What type of radionuclides will be released in the event of inadvertent nuclear criticality? What are their rates of decay? If it is uranium or its decay products, it is disingenuous for NRC to claim that these isotopes are ⁷short-lived⁸ given that uranium 234, 235 and 238 have half-lives of 4.46 billion, 704 million and 245,000 years respectively. This would mean that these particles would be dispersed long before they ceased to be dangerous. If decay products are released in such an incident, half-lives could range from 75,400 years for thorium-230 to 163 microseconds for polonium-214. (<http://www.leer.org/ictshse/uranium.html>). Please revise your estimate regarding ⁹short-lived⁸ radionuclides.

Comment
#M-71

59.) The DEIS states, ¹⁰To reduce the magnitude of fires resulting from the presence of transient combustible material, LES would rely on administrative controls. The purpose of these controls is to prevent large fires that could result in the release of large inventories of UF6. (pg. C-26). This statement is quite vague. NRC must outline the nature of these administrative controls.

Comment
#M-72

60.) The DEIS states, ¹¹Acute effects evaluated were assumed to estimate a threshold nonlinear relationship, or quadratic approximation, with exposures; that is, some low level of exposure can be tolerated without inducing a health effect. (pg. D-26).

Although the theory of a nonlinear relationship between exposure and health effects has been validated by some studies, it has yet to be proven accurate for human subjects. According to the Committee Examining Radiation Risks of Internal Emitters (CERRIE), the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) reported in 2000 that some animal data show linear dose-response relationships for cancer induction by alpha-emitting radionuclides over the dose ranges studied. (Report of the Committee Examining Radiation Risks of Internal Emitters, October 2004, <http://www.cerrie.org>)

Given this genuine disagreement amongst experts, we request that NRC not

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State Capitol Building
Room 400
Santa Fe, NM 87501
Senator Jeff Bingaman
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Santa Fe, NM 87501

Senator Pete Domenici
120 S. Federal Place
Santa Fe, NM 87501

Representative Steve Pearce
400 N. Telshore, Suite E
Las Cruces, NM 88011

Representative Tom Udall
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Representative Heather Wilson

625 Silver
Albuquerque, NM 87102

Amy Williams
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Group N

Nuclear Regulatory Commission
Chief, Rules and Directives Branch
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US Nuclear Regulatory Commission
Washington, DC 20555-0001

NUREG-1790/Docket # 70-3103
Public Comment: Draft Environmental Impact Statement for the Uranium Enrichment
Facility Proposed by Louisiana Energy Services for Lea County, NM

To Whom It May Concern:

This is a public comment relating to the Environmental Impact Statement for Louisiana Energy Services' proposed uranium enrichment facility in Lea County, New Mexico.

A site in Bellefonte, Alabama was found unacceptable for the NEF because it would have meant re-locating high-voltage transmission lines to cross the proposed site. The proposed site in Lea County, New Mexico is no different - this site would also necessitate relocation of high pressure carbon dioxide pipeline crossing the proposed site. How come the Bellefonte site was rejected for the NEF but the Lea County site is acceptable? Please address this in the final EIS for Louisiana Energy Services.

Thank you,

Suzanne H. Manning
Loraine Reavery
Delphine Arty
Fred M. Little
Charlotte Seligman-Dinner
Sharon Thraut
Lay P. Martin
Shirley Williams
Emma Arney
J. Hul
Amira Island

Comment
#N-1

Group O

Nuclear Regulatory Commission
Chief, Rules and Directives Branch
Division of Administrative Services
US Nuclear Regulatory Commission
Washington, DC 20555-0001

NUREG-1790/Docket #70-3103
Public Comment: Draft Environmental Impact Statement for the Uranium Enrichment
Facility Proposed by Louisiana Energy Services for Lea County, NM

To Whom It May Concern:

I am concerned that the draft EIS statement maintains the possibility of putting a depleted uranium hexafluoride conversion facility near the site. This option is not feasible due to current state laws, which require that that the waste be moved out of the state rather than just off-site. This option should not be considered. I request that the final EIS delete any references to the possibility of storing the waste near the NEF.

Sincerely,

Suzanne H. Manning
Loraine Reavery
Delphine Arty
Fred M. Little
Charlotte Seligman-Dinner
Sharon Thraut
Lay P. Martin
Shirley Williams
Emma Arney
J. Hul
Amira Island

Comment
#O-1

Group P

Nuclear Regulatory Commission
Chief, Rules and Directives Branch
Division of Administrative Services
US Nuclear Regulatory Commission
Washington, DC 20555-0001

NUREG-1790/Docket #70-3103
Public Comment: Draft Environmental Impact Statement for the Uranium Enrichment
Facility Proposed by Louisiana Energy Services for Lea County, NM

To Whom It May Concern:

The EIS states that Envirocare (Utah) and U.S. Ecology (Washington State) are two potential sites to ship the byproduct of the uranium enrichment process. The EIS does not mention any negotiations between LES and Envirocare or U.S. Ecology are underway or being pursued. This is troubling because without the consent and cooperation of at least one of the two facilities, LES has no viable waste disposal option. The citizens of Lea County and the State of New Mexico have continually asked that the NRC license be withheld until viable waste solution options are presented. I request that the final EIS look further into this issue.

Thank you.

Sincerely,
Gayle H. Williams
Delphine Arty
Steph Miller
Ashlee Brantley
Gay D. Martin
Althea Williams
Lemay Owens
JAMM Gul
Janita Ireland

**Comment
#P-1**

Group Q

Nuclear Regulatory Commission
Chief, Rules and Directives Branch
Division of Administrative Services
US Nuclear Regulatory Commission
Washington, DC 20555-0001

NUREG-1790/Docket 70-3103
Public Comment: Draft Environmental Impact Statement for the Uranium Enrichment
Facility Proposed by Louisiana Energy Services for Lea County, NM

To Whom It May Concern:

These are my public comments regarding the draft environmental impact statement for Louisiana Energy Services (LES).

The DEIS does not state the maximum amount of time that Uranium Byproducts Cylinders (UBC) would be stored on site. I request that the EIS address this question. **Comment #Q-1**

Also, the DEIS is not specific about its water source (p. 2-13). It states that the source is from the municipality selling it, but that does not get to the environmental issue at stake. Is it underground water? Have there been studies conducted that assure that sources are not irreparably depleted? Please address this in the final EIS. **Comment #Q-2**

Thanks
Charlotte Shick - Damm
Ashlee Brantley
Gay D. Martin
Althea Williams
Lemay Owens
JAMM Gul
Janita Ireland

Group R

NRC
Chief, Rules and Directives Branch
Division of Administrative Services
US Nuclear Regulatory Commission
Washington DC 20555-0001

NUREG-1790/Docket#70-3103

To Whom It May Concern:

The NRC should deny the license application for Louisiana Energy Services, Urenco on the basis of the following:

There is no viable alternative for the depleted uranium waste tails that will be generated by the operations of this plant. The possible alternatives listed in the Draft EIS are not plausible since an effective alternative, the deconversion plant have not even been built for the older depleted uranium waste at other sites in the US. There will be opposition to such plant if plans are drawn up to build in NM or TX.

Sincerely,

Thompson H. Williams
Louise Perry
Fred M. Utley
Stephanie Ortiz
Charlotte Shady-Divine
Sharon Smith
Ray P. Martin
Elizabeth Williams
Emma Byrne
Missie Ireland
Conita Ireland

Comment
#R-1

Group S

Nuclear Regulatory Commission
Chief, Rules and Directives Branch
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US Nuclear Regulatory Commission
Washington, DC 20555-0001

NUREG-1790/Docket 70-3103

Public Comment: Draft Environmental Impact Statement for the Uranium Enrichment Facility Proposed by Louisiana Energy Services for Lea County, NM

To Whom It May Concern:

I am writing to submit my public comments for the Louisiana Energy Services DEIS. In its Purpose and Need, the draft environmental impact statement indicates that the NEF is to supply domestic demand. In the fourth paragraph, however, it states: "forecasts of installed...suggest a continuing demand...in the US and abroad". The NRC should make it clear whether the NEF will be solely for domestic use or if any portion of the project would be used outside of the US.

Thank you for your consideration.

Sincerely,

Sharon Smith
Ray P. Martin
Elizabeth Williams
Emma Byrne
Missie Ireland
Conita Ireland

Comment
#S-1

Group T

Nuclear Regulatory Commission
Chief, Rules and Directives Branch
Division of Administrative Services
US Nuclear Regulatory Commission
Washington, DC 20555-0001

NUREG-1790/Docket #70-3103

Public Comment: Draft Environmental Impact Statement for the Uranium Enrichment Facility Proposed by Louisiana Energy Services for Lea County, NM

To Whom It May Concern:

These are my public comments for the DEIS for Louisiana Energy Services' proposed uranium enrichment facility in Lea County, New Mexico. I am concerned with effluent monitoring of air and water. The draft EIS says that corrective actions will be instituted when an action level is exceeded, but it does not include the regulatory agency that will be in charge of the monitoring. Currently there are no mechanisms in place to revoke an operating license pursuant to unacceptable levels. The final EIS should address specific safety measures to protect citizens from dangerous materials exceeding federal or state standards and also identify the responsible organization for long-term stewardship of the proposed NEF site.

Comment #T-1

Comment #T-2

J-88

Thank you,

*Suzanne H. Bluminger
Leanne Reaney
Delphine Doty
Fred McElroy
Charlotte Schley-Drimer
Elizabeth Strickland
Jay W. Martin
Althea Williams
Emman Oweat
Angela Jackson
Amiea Buland*

Group U

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NUREG-1790/Docket #70-3103

Public Comment: Draft Environmental Impact Statement for the Uranium Enrichment Facility Proposed by Louisiana Energy Services for Lea County, NM

To Whom It May Concern:

I am particularly concerned with sections 4.2.8.2 and 4.2.8.3 in the EIS that relate to Employment and Economic Activity. The draft Environmental Impact Statement concludes that the NEF would have a moderate impact on the socioeconomics in Lea, Andrews, and Gaines Counties. At the same time, 60% of the workforce for the proposed facility is expected to come from outside this area of influence. This fact will greatly influence the figure stated by the EIS.

Comment #U-1

Comment #U-2

According to the EIS, educational programs with local colleges would help to develop a pool of qualified workers. Are there any partnerships or discussions between local colleges and LES? Even if there were, would our local colleges have the capacity to train students in such sensitive nuclear materials handling?

I ask that the final EIS go into further detail regarding both the employment generated by the proposed facility and workforce training.

Thank you.

Sincerely,
*Suzanne H. Bluminger
Leanne Reaney
Delphine Doty
Fred McElroy
Charlotte Schley-Drimer
Elizabeth Strickland
Jay W. Martin
Althea Williams
Emman Oweat
Angela Jackson
Amiea Buland*

Group V

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NUREG-1790/Docket #70-3103

Public Comment: Draft Environmental Impact Statement for the Uranium Enrichment Facility Proposed by Louisiana Energy Services for Lea County, NM

To Whom It May Concern:

The DEIS states that the proposed NEF would submit an annual report of the Environmental Sampling Program to the Nuclear Regulatory Commission. I would like a guarantee that this information will be made public to the citizens of Lea County and the State of New Mexico. The public must be allowed to participate in the environmental oversight of the proposed NEF facility, and I request that the final EIS address these concerns.

Comment #V-1

Sincerely,

Steph-L. Blisking
Loraine Pearey
Delphine City
Fred McElroy
Charlotte Sherry-Dunn
Aaron Stanton
Joy P. Mester
Alfred Williams
Emma Alene
J. Gill
Anita Duland

J-89

Group W

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NUREG-1790/Docket #3103

Public Comment: Draft Environmental Impact Statement for the Uranium Enrichment Facility Proposed by Louisiana Energy Services for Lea County, NM

To Whom It May Concern:

During the EIS scoping period, it was recommended that LES and the NRC consult the Western Interstate Energy Board regarding this proposed project. To my knowledge, the Board, valuable in the communication and cooperation of nuclear energy products, was never consulted. Why? The proposed LES facility certainly falls within the scope of the Western Interstate Energy Board and therefore should consult the Board. Please address this issue in the final EIS.

Comment #W-1

Thank you,

Steph-L. Blisking
Loraine Pearey
Delphine City
Fred McElroy
Aaron Stanton
Joy P. Mester
Alfred Williams
Emma Alene
J. Gill
Anita Duland

Group X

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US Nuclear Regulatory Commission
Washington, DC 20555-0001

NUREG-1790/Docket 70-3103

Public Comment: Draft Environmental Impact Statement for the Uranium Enrichment Facility Proposed by Louisiana Energy Services for Lea County, NM

To Whom It May Concern:

I am writing to ask that the final Louisiana Energy Services EIS statement address the Claiborne Enrichment Facility. The Claiborne facility is referenced throughout the EIS, but the document does not address Homer, LA as a potential site. I ask that the final document include more detailed information on the Claiborne Enrichment Facility and also address reasons why it was rejected. Thank you for your consideration.

Thank you,

Thompson H. Blumberg
Louise Pearson
Delphine Ortiz
Fred Miller
Charlotte S. Day
Quinn
Sharon Strantz
Jay D. Martin
Alfred Williams
Conna Aune
J. Paul
Antia Ashland

Comment
#X-1

Group Y

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Washington, DC 20555-0001

NUREG-1790/Docket # 70-3103

Public Comment: Draft Environmental Impact Statement for the Uranium Enrichment Facility Proposed by Louisiana Energy Services for Lea County, NM

To Whom It May Concern:

I have concerns with the environmental justice impacts of the proposed uranium enrichment facility in Lea County, New Mexico. I request that the environmental justice impacts be looked into more thoroughly in that the EIS evaluate environmental justice issue in geographic comparison with other sites rather than just New Mexico. This is necessary since multiple sites around the country were considered for the NEF and the people of Lea County would like some reassurance that the site in Lea County was not chosen because it has a high-minority and low-income populace. In comparison with the population nationally, Lea County is home to a disproportionate number of low-income persons and minorities. Therefore, the citizens of Lea County will be impacted disproportionately by the NEF. These concerns coupled with LES' history of environmental justice issues makes it important that this issue be looked at more carefully in the final EIS.

Thank you,

Thompson H. Blumberg
Louise Pearson
Delphine Ortiz
Fred Miller
Charlotte S. Day
Quinn
Sharon Strantz
Jay D. Martin
Alfred Williams
Conna Aune
J. Paul
Antia Ashland

Comment
#Y-1

Group Z

Group AA

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NUREG-1790/Docket 70-3103

NUREG-1790/Docket 70-3103

Public Comment: Draft Environmental Impact Statement for the Uranium Enrichment Facility Proposed by Louisiana Energy Services for Lea County, NM

Public Comment: Draft Environmental Impact Statement for the Uranium Enrichment Facility Proposed by Louisiana Energy Services for Lea County, NM

To Whom It May Concern:

I am submitting my public comment for the Louisiana Energy Services DEIS. I ask that the final EIS address the following:

I am writing to request that the DEIS for Louisiana Energy Services address the following issue: In pages 1-3, the DEIS states that "of the 11.5 million SWUs that were purchased by US nuclear reactors in 2002, only about...15% were provided by plants located in the US...and 14% for 2003". Then the DEIS states that the USEC provides about 56% of the US enrichment market needs. This does not match up, and I request that the EIS address this.

Comment
#Z-1

Comment
#AA-1

Thank you,

John D. Martin
Jay D. Martin
Glenn Williams
Emma Auer
J. Hill
Antia Ireland

Sincerely,

John D. Martin
Jay D. Martin
Glenn Williams
Emma Auer
J. Hill
Antia Ireland

Commenter 001

October 14, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

I am writing to express my continued support of Louisiana Energy Services (LES) for the National Enrichment Facility (NEF) project.

The Draft EIS was very positive for the NEF and I am glad that the report found that the NEF will have minimal environmental impact on this region. I also understand that the NEF will help the United States lessen its reliance on foreign imports. Anything that supports our energy independence and is as safe and environmentally sound as the NEF has my support.

According to the Draft "The NRC staff recommends that, unless safety issues mandate otherwise, the proposed license be issued to LES." (Page 2-44). I couldn't agree more! I hope the NRC continues to do a thorough job of reviewing the NEF license and I encourage them to grant it quickly.

Sincerely,

cc: Governor Bill Richardson
Secretary Ron Curry
New Mexico Attorney General Patricia Madrid

Comment
#001-4

Comment
#001-19

Commenter 002

City of Andrews

111 LOGSDON • ANDREWS, TEXAS 79714-6589
(915) 523-4820

November 4, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20855

Honorable Chairman Diaz:

This letter is to confirm the support of the City of Andrews for the National Enrichment Facility (NEF). We believe the facility will provide needed support to the nuclear power industry in the United States. There is strong support in the region for a facility based upon good geology, sound science and proper oversight.

The draft Environmental Impact Statement (EIS) was both comprehensive and compelling. The EIS demonstrates the relatively small impact of this facility, yet its importance to the economic growth of Southeast New Mexico and West Texas. As a community in the "affected area" by NEF, this review is important to Andrews.

We appreciate the informative and inclusive process of the Nuclear Regulatory Commission. Similarly, LES has been very forthcoming in addressing concerns or questions raised regarding the NEF and its operations. We believe that the EIS confirms that the NEF can operate in a safe, prudent manner.

We encourage the expedient, but thorough review of the NEF license application.

Sincerely,

Glen E. Hackler
City Manager

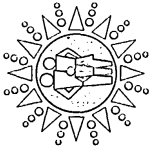
Robert Zap
Mayor

/sac

cc: Governor Bill Richardson
Secretary Ron Curry
New Mexico Attorney General Patricia Madrid

Comment
#002-1

Comment
#002-2



Hobbs — More Than Meets the Eye

Commenter 006

Chairman Nils Diaz
United States Nuclear Regulatory
Office of Public Affairs
Washington, DC 20555

Dear Chairman Diaz:

Comment
#006-1

Once again we write to you and your offices concerning our support for the National Enrichment Facility to be built outside of Eunice, New Mexico. This is not only an important economic development investment in New Mexico but also a high priority for national security. We support the NRC's time and investigated necessities for proper control and handling of nuclear by-products of the industry, we also see the sense of urgency to protect and keep safe these by-products. The NEF facilities offer that protection and safe disposal of the by-product from our nuclear power plants throughout the country.

The draft Environmental Impact Statement addressed many issues affecting the safe operations and handling by NEF, this report was very positive and reflects no large negative impact on the local resources. This report also made it clear that the NRC was taking the necessary steps to insure a safe environment both for the operator and the communities surrounding the plant.

We are excited about the National Enrichment Facilities being built and safely operated in Lea County, New Mexico. As a related community just north of this proposed NEF facility, we are monitoring your and NRC progress with great interest.

We were pleased with comments of the draft of the Environmental Impact Statement and look forward to the final report.

Sincerely,

Ray Panaglini
President

cc: Governor Bill Richardson
Secretary Ron Curry
New Mexico Attorney General Patricia Madrid



HOBBS Chamber of
Commerce

400 N. Marland ◊ Hobbs ◊ NM ◊ 88240
Phone: (505) 397-3202 ◊ (800) 658-6291
FAX : (505) 397-1689
URL : www.hobbschamber.org

Commenter 007



Eunice Public Schools

TONI NOLAN TRUJILLO
SUPERINTENDENT
(505) 394-2524

P. O. BOX 129
EUNICE, NM 88231
FAX (505) 394-3006

October 14, 2004

Chairman Nils Diaz,
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

Comment
#007-1
I want to express my thanks and appreciation to the staff members from the Nuclear Regulatory Agency. Throughout this process you have kept the citizens of Lea County informed about the permit process and have provided numerous opportunities for public comment.

Comment
#007-5
A copy of the draft Environmental Impact Statement was provided by the NRC. Because of the document's organization, format and language usage, I was able to understand most of the report. The definitions regarding the degree of impact were very helpful and written using a minimum of jargon.

Comment
#007-6
I continue to support the National Enrichment Facility. And I continue to support the federal and state regulatory approval processes. In this case, private industry and governmental entities have worked together to ensure a safe and prosperous future for Lea County.

Comment
#007-7
Tonight, I have one request. The next time you come to Eunice, I would like to invite the staff members of the Nuclear Regulatory Commission to meet with our students and explain the permit approval process. We have many students now engaged in an applied physics course and in an internet class entitled "An Introduction to Nuclear Energy."

Again, thank you for the diligence and professional behavior.

Sincerely,

Toni Nolan Trujillo
Superintendent

HOME

Pro Mortgage

Email: albero@homeprohm.com

October 11, 2004

Chairman Nils Diaz,
US Nuclear Regulatory
Office of Public Affairs
Washington, DC 20555

Dear Chairman Diaz:

I am writing this letter to express my support for Louisiana Energy Services (LES) and its efforts to build and operate the National Enrichment Facility (NEF) in Lea County, New Mexico.

I have reviewed the Draft Environmental Impact Statement (EIS) and was pleased to see that the NEF will have only minimal impact on the environment, land, air quality and water usage. Lea County is a strong contributor to our country's energy needs and it is my belief that the NEF will enhance this and lessen our dependence on foreign imports. The NEF appears to be safe and has my full support.

LES is to be commended for keeping the community informed and educated about the process. They have quickly proven to be a good corporate citizen of Lea County by helping and contributing to our local organizations.

As a member of several organizations (Hobbs Municipal School board, Hispano Chamber of Commerce board, Habitat for Humanity of Hobbs), a business owner and more importantly, as a citizen of Lea County, I look forward to welcoming NEF and the positive economical impact it will have on Lea County.

Sincerely,



Alberto Caballero

Commenter 009

November 1, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

As the President of the Hobbs Rotary Club, Past-President of the Hobbs Chamber of Commerce, a present and past member of several other boards in Hobbs and a resident of Hobbs since 1969, I am writing to express my continued support of the planned National Enrichment Facility (NEF).

I have recently had the opportunity to review the Draft Environmental Impact Statement (EIS) and am pleased that the NEF will have small impact on things such as land and air quality. I also look forward to the benefit to our local economy that NEF will bring. Having lived in Hobbs through the ups and downs of the oilfield, it is important to me to see Lea County diversify our economy. As a mother and grandmother of children who have moved away, it pleases me to see an industry that would impact our workforce and allow our children to stay in Lea County. Our children have been our greatest export and I would personally like to see them have opportunities to stay.

I also read in the Draft EIS that the NEF will help to provide energy independence for America. As an American, I am concerned about our dependence upon foreign countries for our energy needs and as a citizen of Lea County, I am glad we have been chosen to help this cause.

I look forward to welcoming NEF as a permanent part of our community and encourage you to approve their license application quickly.

Thank you for such a thorough and informative Draft EIS. I look forward to reviewing the final one.

Sincerely,



Suzanne Holler

cc: Governor Bill Richardson
Secretary Ron Curry
New Mexico Attorney General Patricia Madrid

Commenter 010

Comment
#010-1

Comment
#010-3

Commenter 021

**HOBBS MUNICIPAL SCHOOLS
Office of the Superintendent**

Stan Rounds, Superintendent
P.O. Box 1030
1515 E. Sanger
Hobbs, New Mexico 88241-1030

Telephone (505) 433-0100
Fax (505) 433-0140
E-mail: srounds@hobbschools.net

October 14, 2004

Chairman Nils Diaz
US Nuclear Regulatory Commission
Office of Public Affairs
Washington, DC 20555

Dear Chairman Diaz:

The Hobbs Municipal Schools is in strong support of Louisiana Energy Services application to obtain a license from the NRC to establish the National Enrichment Facility (NEF) in Eunice, New Mexico. We have reviewed the draft environmental impact findings and concur that there is little negative impact upon our community and our schools.

In fact, LES has shown its intent to be a substantial partner in education of our children and has stepped forward to be a partner in education in Lea County. Together, we will provide the necessary workforce to ensure the success of the placement of the NEF in Lea County.

The Draft Environmental Impact Statement is very positive for the NEF. We are pleased that the report found only minimal impact. More importantly, the NEF will have a positive socioeconomic impact on this region.

The Hobbs Municipal Schools fully supports the NEF and asks that you continue expedient progress in licensing the facility so that we, in Lea County, can begin to make the important plans for our future.

Sincerely,



Stan Rounds
Superintendent

Cc: Governor Bill Richardson
Secretary Ron Curry
New Mexico Attorney General Patricia Madrid

Comment
#021-1

Commenter 016

October 12, 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of the Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

I am writing this letter in support of National Enrichment Facility (NEF). This facility is needed in Lea County, especially to aid in the diversification of the economy.

This facility will provide the citizens of our county with much needed jobs. These jobs will create a flow of money back into our community's businesses. There would be benefits much higher than just the employees of the facility, our small businesses would grow and prosper with the implementation of NEF.

Outside of all of these positions, the Draft Environmental Impact Statement (EIS) pointed out several other points of interest, like how there will be little negative impacts on the area.

With these points being made in the EIS it only encourages the hopes of our communities. Please be prompt in approving the NEF license application as we know this facility will be safe and beneficial to all involved.

Sincerely,



Cc: Governor Bill Richardson
Secretary Ron Curry
New Mexico Attorney General Patricia Madrid

Comment
#016-2



New Mexico State Senate
State Capitol
Santa Fe

SENATOR CARROLL H. LEAVELL
R-Eddy & Lea-41

P.O. Drawer D
Jal. NM 88252

Business: (505) 393-2550
Home: (505) 395-3154
Fax: (505) 393-6539
E-Mail: leavell@leaco.net

October 11, 2004

Chairman Nils Diaz
U. S. Nuclear Regulatory
Office of Public Affairs
Washington, DC 20555

Dear Chairman Diaz,

Comment
#022-1

I am writing again in support of Louisiana Energy Services' (LES) efforts to obtain a license from the Nuclear Regulatory Commission for the proposed National Enrichment Facility (NEF) outside Eunice, New Mexico.

Lea County is very excited about the NEF. The oil and gas industry has supported Lea County and the State of New Mexico for over 75 years. My constituents know the pitfalls of the economic swings in oil and gas. It is time to diversify!

The Draft Environmental Impact Statement (EIS) was very positive for the NEF. I am glad the report found what I already knew - the NEF will have a minimal environmental impact of this region and a positive socioeconomic impact, particularly with respect to jobs and revenue added to the local economy.

The LES has shown itself to be a good corporate citizen by contributing to local organizations that benefit the people of Southeast New Mexico as well as always keeping us informed and educated about the process. The Draft EIS just confirms the NEF is really a safe and environmentally sound project.

Comment
#022-4

I support the NEF and hope their licensing process continues to go smoothly so we in Lea County can begin making plans for a future that includes the NEF.

Sincerely,

Carroll H. Leavell

Commenter 022
COMMITTEES:

MEMBER:
Finance

Commenter 024

October 12, 2004

Chairman Nils Diaz
U.S. Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

I am writing this letter in support of the proposed National Enrichment Facility in Eunice, New Mexico.

As a life-long resident of New Mexico, I understand what it is like to have to rely on the oil and gas industry for a source of revenue. My husband and I were able to raise a family here, and I continue to watch my family grow as two of my five children chose to stay here in Eunice as they raise their families. But the oilfield industry is presently unpredictable, so as our citizens grow they are forced to move where more job opportunities are available.

I was given the opportunity to visit the Urenco Nederland B.V. facility in Almelo. The site was impressive and was no different from the surrounding countryside. I visited with local citizens about the plant and did not encounter a single person who had negative comments about the Urenco plant or its operation.

After reviewing the Draft Environmental Impact Statement, it only reassured me of what I knew to be true. It stated there would be no significant impact on our land, water or air. It also affirmed there would be an increase in employment which I know would lead to new-housing construction, but more importantly an increase in school enrollment in our area. We are proud that our educational institutions are some of the best in our state and the new students would enable us to continue to challenge the children of this area.

Comment
#024-1

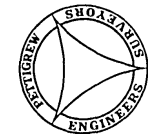
With family still in Eunice, I have no problem supporting the Louisiana Energy Services' application to operate the National Enrichment Facility in our hometown. With the offer to diversify our economy, I will support this effort. The anticipated growth in our community is welcomed along with all of the positive effects associated with it. The National Enrichment Facility will be beneficial to our schools, our city, our country, and to all of our Land of Enchantment.

Thank you kindly for your time and consideration of this proposed facility.

Sincerely,

Alicia N. Montanez
P.O. Box 1394
Eunice, New Mexico 88231

Cc: Governor Bill Richardson
Secretary Ron Curry
New Mexico Attorney General Patricia Madrid



PETTIGREW and ASSOCIATES

1110 N. GRIMES
HOBBS, NEW MEXICO 88240
(505) 393-9827

Commenter 025

14 October 2004

Chairman Nils Diaz
US Nuclear Regulatory
Office of the Public Affairs
Washington, DC 20555

Dear Chairman Diaz:

This letter is in support of LES to obtain a license from the NRC to establish a uranium enrichment facility in Eunice, New Mexico.

*Comment
#025-1*

As a consulting engineer born and raised in Lea County, I place great value on our natural resources. With findings such as small impact on historical and cultural resources, land use, air quality and water usage, I can place my full support for the proposed National Enrichment Facility (NEF) outside of Eunice, New Mexico.

The NEF is a great opportunity for Lea County and for the United States. The Draft EIS concluded that the NEF would have a positive socioeconomic impact on our local economy. The establishment of this facility is important to the future of Lea County.

*Comment
#025-1
(cont.)*

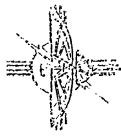
The Draft EIS concluded that the NEF would help to provide energy independence for America as an additional, reliable, and economical domestic source of enrichment services which will have a direct impact on attaining national energy security policy objectives. In today's global environment, this is vital to all of us.

Lea County has had a long history of supporting the energy needs of our country and the NEF will allow us to continue to contribute in a way that also benefits our local economy.

After reviewing the Draft EIS, I firmly believe that the NEF will be environmentally sound to the citizens of Lea County.

Sincerely,

Debra P. Hicks, PE
President
Pettigrew & Associates, P.A.



NEW MEXICO JUNIOR COLLEGE

Commenter 026

Office of the President

October 14, 2004

Chairman Nils J. Diaz, Ph.D.
U.S. Nuclear Regulatory Commission
Office of Public Affairs (OPA)
Washington, D.C. 20555

Dear Chairman Diaz:

I am writing this letter in continued support of Louisiana Energy Services' (LES) application to build and operate a National Uranium Enrichment Facility in Lea County, New Mexico. I commend the NRC for the detailed draft Environmental Impact Statement (EIS). The draft EIS confirmed that the NEF is safe and important to the economic development of Lea County and the State of New Mexico.

*Comment
#026-1
Comment
#026-4*

I have found the employees of LES to be extremely dedicated to the development of the project, full of integrity, and willing to openly discuss the issues. I also confirm that New Mexico Junior College has embraced the NEF as an outstanding opportunity to train technicians for many of the potential jobs that will be available. We have been working on the training for over a year, and we are working with the Lea County Public Schools to bring the training initiative to fruition.

Additionally, I think Lea County is positioned to provide the needed infrastructure to support the NEF, and I strongly feel the Lea County municipalities have embraced the idea and are prepared to do the due diligence in regard to the project. The NEF provides less dependency on foreign oil and improves our position for national defense. The facility is safe, and I encourage the NRC to grant Louisiana Energy Services the license to run the National Enrichment Facility.

Sincerely,

Steve McCleery, Ed.D.
President

Cc: Governor Bill Richardson
Secretary Ron Curry
Patricia Madrid, New Mexico Attorney General

Commenter 027

October 12, 2004

Chairman Nils diax
IS Nuclear Regulatory
Office of the Public Affairs
Washington D.C. 20555



Andrews Industrial Foundation, Inc.

DeeDec Wallace
Director of Business Development
dwallace@cityofleas.org

Commenter 028

Dear Chairman Diaz:

Comment #027-1
This letter is in support of Louisiana Energy Services (LES) to obtain a license from the Nuclear Regulatory Commission (NRC) to build and operate the National Enrichment Facility (NEF) near Eunice, New Mexico. I support LES as a City Commissioner (former Mayor) and school board member.

I had the opportunity to visit the Urenco-owned facility in Almelo, which is very similar to the facility that is planned for Lea County. I felt that the questions and concerns our group had were answered. The high-light of the tour was when we went down town to talk to the average person on the streets of Almelo. These people answered our questions and were all very positive with their answers.

As an educator, I keep myself informed about the project. This is important because as an elected official, it is my duty to be informed and to be aware of safety issues of those I represent. The citizens put their trust in me, and I, in turn, put my trust in LES. I haven't been let down by LES and they are always open to answer questions and hear concerns.

Comment #027-4
I appreciate the work the NRC did on the Draft Environmental Impact Statement and I'm pleased with the results. The National Enrichment Facility will benefit Lea County, New Mexico and America.

Sincerely,

Joe Calderon

Joe Calderon
P.O. Box 5628
Hobbs, New Mexico 88241

Cc: Governor Bill Richardson
Secretary Ron Curry
New Mexico Attorney General Patricia Madrid

November 5, 2004

Chairman Nils Diaz
U.S. Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Re: Letter of Support for National Enrichment Facility in Lea County, N.M.

Dear Chairman Diaz:

Comment #028-1
Please accept this letter as confirmation of full support for Louisiana Energy Services' (LES) National Enrichment Facility (NEF) in Eunice, New Mexico. Many of us from Andrews have studied this process and participated in the NRC forums in order to better educate ourselves with the scope of this project. Our conclusion was uniform with the Environmental Impact Statement conducted by your office - that the NEF will have small environment impact and significant economic impact.

In Andrews, Texas, we believe there exists a necessity for regional collaboration in order to meet the needs of activity underway on our Texas-New Mexico border. We anticipate regional partnerships to enable us to effectively address any concerns or considerations for these projects. This theme of alliances is exemplified in the development of our new Andrews Business and Technology Center. We have established administrative and curriculum programs in partnership with Odessa College, The University of Texas - Permian Basin, and most recently, College of the Southwest in Hobbs, NM. A recent grant through College of the Southwest will fund a state of the art Distance Learning Center and administrative costs as well for the Center. In part, this grant was approved because of the regional partnerships involved.

The NEF project solidifies the demand for firm regional efforts in an array of areas and ensures that our labors are justifiable. The Andrews Industrial Foundation, Inc. strongly supports Louisiana Energy Services' (LES) National Enrichment Facility (NEF) in Eunice, New Mexico.

Sincerely,

DeeDec Wallace

DeeDec Wallace

/dsw

ANDREWS, TX
Move Ahead

1111 Logsdon • Andrews, Texas 79714 • 432/523-4820



October 14, 2004
Arts and Sciences

Commenter 029

NEW MEXICO JUNIOR COLLEGE

Chairman Nils Diaz
US Nuclear Regulatory
Office of Public Affairs
Washington, D.C. 20555

Dear Chairman Diaz:

As the Interim Dean of Arts & Sciences and Geology Professor at New Mexico Junior College and as one of the lucky ones that actually got to go to Amelo last November, I am writing this statement in support of the National Enrichment Facility (NEF) that is being proposed for Lea County, New Mexico.

Comment
#029-1

It is my understanding that this facility being proposed here in Eunice will be modeled after the facility in Amelo, Netherlands. If indeed this is the case, then I am quite comfortable with this plan.

Comment
#029-4

Environmentally speaking, if it is built and operated like the one in Amelo, then the people of Lea County and especially, Eunice will be completely safe and sound. There will be very little, if any, impact on the air, ground, and water.

- The facility in Amelo was built right next to a beautiful public campground. There seemed to be no disruption to the local farming or livestock in the area surrounding the facility.
- Amelo is just barely above sea level and so their facility sits right on top of their water supply. According to the workers in the facility and the local people in the area, they have had no problems. The plant itself had canals running through the well kept grounds with grass, trees, and even ducks.
- In Amelo, the process of enriching uranium happens in an enclosed system. The air that is expelled goes through a purification process before reaching the outside atmosphere.

Comment
#029-6

My only concern is the by-product that will be generated. Once again, if this facility is operated like the one in Amelo, the amount of by-product actually stored at the facility will be minimal. There were 400 canisters on their premises. In Amelo, they regularly sent their by-product (depleted uranium) to either France for the removal of the fluorine and the remainder to be

5317 Lovington Highway • Hobbs, New Mexico 88240
Math and Sciences (505) 392-5305 • Humanities (505) 392-5317 • Physical Education (505) 392-5402

disposed of or to Russia to be recycled through yet another enrichment process.

Comment
#029-6
(cont.)

I'm in favor of making sure that these canisters of depleted uranium get recycled and used again or disposed of properly so that they don't become an environmental hazard years from now and are not an eye-sore in our backyard!

Other than that, I think having the National Enrichment Facility here in SE New Mexico will be just as much of an asset to this area and the nation as WJPP has been. Need I remind you that there was much controversy over WJPP being here before it was operational, as well.

With a finite supply of natural resources, we need alternative methods of providing electricity for the United States that can be created right here in the U.S. instead of becoming dependent on other countries.

Sincerely,

Kelly Holladay
Interim Dean of Arts & Sciences and Professor of Geology
New Mexico Junior College
Hobbs, New Mexico
kholladay@nmjc.edu

U.S. NUCLEAR REGULATORY COMMISSION

NRC FORM 659 (6-2003)



NRC PUBLIC MEETING FEEDBACK

Commenter 030

Category 3

Meeting Date: 10/14/2004 Meeting Title: LES Draft Environmental Impact Statement Public Comment Meeting

In order to better serve the public, we need to hear from the meeting participants. Please take a few minutes to fill out this feedback form and return it to NRC.

- 1. How did you hear about this meeting?
2. Were you able to find supporting information prior to the meeting?
3. Did the meeting achieve its stated purpose?
4. Has this meeting helped you with your understanding of the topic?
5. Were the meeting starting time, duration, and location reasonably convenient?
6. Were you given sufficient opportunity to ask questions or express your views?
7. Are you satisfied overall with the NRC staff who participated in the meeting?

COMMENTS OR SUGGESTIONS: Thank you for answering these questions.

A 53 year resident of Eunice I beg the NRC... I am requesting that the NRC refuse to issue an operating license to LES unless at least 51% of LES is owned by the American people.

Continue Comments on the reverse.

OPTIONAL

Name: Tanya White Organization: Eunice News Telephone No.: 505-354-2373 E-Mail: []

ONR NO. 3150-0197 Public Protection Notification: If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not contact or sponsor, and a person is not required to respond to, the information collection.

Please fold on the dotted lines with Business Reply side out, tape the bottom, and mail back to the NRC.

From: "Lee Cheney" <lee_cheney@leaco.net> To: <nrcprep@nrc.gov> Date: Sat, Oct 16, 2004 12:09 PM Subject: Alternative to URENCO

At the NRC EIS meeting in Eunice on 10-14-04 Jim Furland, President of LES, said that LES is 75.5% owned by URENCO which is a foreign corporation owned by England, France, and Germany. It is a grave threat to American national security to allow the LES National Enrichment Facility to be owned by foreigners for many reasons. I am requesting that the NRC refuse to issue an operating license to LES unless at least 51% of LES is owned by the American people.

Lee Cheney 420 W. Humble Hobbs, NM 88240-7116 Tel. 505-397-2147 email: lee_cheney@leaco.net

Comment #031-1

Commenter 031

Commenter 031

From: "Lee Cheney" <lee_cheney@leaco.net>
 To: <nrcprep@nrc.gov>
 Date: Tue, Nov 16, 2004 8:53 AM
 Subject: LES & Flash Flooding

Lee County is subject to frequent flash flooding. What design requirements, precautions, and procedures will the NRC impose upon LES to guarantee that the radioactive water storage ponds at LES will not overflow?

Comment #031-2

Lee Cheney
 420 W. Humble
 Hobbs, NM 88240-7116

QUESTION FOR GOV. RICHARDSON

If the NRC refuses to allow the State of New Mexico to participate in the LES hearing on the important subjects of national security, terrorism, LES financial qualifications, and waste disposal, will Gov. Richardson withdraw his support for LES and refuse to issue all state permits?

Comment #031-3

America Journal
7/04 - P. 1
State May Be Stuck With Nuke Waste
By John Black
Journal Staff Writer

★ See other side to learn about TOXIC WASTE from uranium-enrichment plants → → →

When an international consortium said last year it wanted to build a nuclear fuel factory in southeastern New Mexico, Gov. Bill Richardson drew a line in the sand.

Richardson said he would only support the factory with an ironclad guarantee that New Mexico would not get stuck with the plant's waste.

But thanks to what the Nuclear Regulatory Commission characterizes as botched legal filings by staff attorneys in the New Mexico Attorney General's office and Richardson's Environment Department, the state may be left with no say in the matter.

Louisiana Energy Services wants to build a uranium enrichment plant on land outside Eunice, along the New Mexico-Texas border. The plant would process uranium for use as nuclear power plant fuel.

The NRC is in the midst of a two-year evaluation of the plant's safety and environmental impacts, necessary before LES can be granted a license.

In a pair of rulings in July and August, NRC regulators said attorneys for the state did not demonstrate that their concerns about the waste issue met legal requirements for consideration in the licensing process.

The only exception was the Attorney General's contention that the company's license application may understate waste disposal costs.

Meanwhile activists opposed to the project, represented by veteran Santa Fe nuclear waste attorney Lindsay Lovejoy, won the right to have their questions about the waste issue heard.

The \$1.2 billion plant would employ hundreds in the Hobbs/Eunice area and has generally won support from local and state political leaders. But Richardson's support has not been unqualified because of questions about the plant's waste.

Over its life, the plant would generate an estimated 15,700 steel cylinders, each 4 feet in diameter and 8 feet long. Each cylinder would hold more than 12 tons of toxic uranium hexafluoride.

Getting rid of the waste is problematic. It requires treatment to remove the corrosive and toxic fluorine, then it must be sent to a dump legally permitted to take radioactive waste. In its license application, LES mentions several possible ways of getting rid of the waste but acknowledges that it has no plan in hand.

That led both the Environment Department and Attorney General Patricia Madrid to raise the issue in the licensing process. They claimed LES had not yet demonstrated a "plausible strategy" for dealing with its waste.

"Storage of such highly dangerous waste over a 30-year period may pose a threat to the protection of health and property," the Environment Department said in its legal brief filed with the NRC.

But by not being specific enough in their critique of the LES's waste plans, the Environment Department and Attorney General's office failed to meet the NRC's strict requirements for participation, the NRC ruled.

Both the Environment Department and Madrid's office blamed their problems on a lack of familiarity with NRC's unusual procedures. Madrid's attorneys also claimed a "budget crisis" prevented them from hiring experts to help with the filing.

Chris Coppin, one of the attorneys for Madrid's office in the case, disputed the NRC's conclusion that the filing was inadequate. "We don't agree that we didn't comply with their requirements," Coppin said in an interview.

Both have appealed, asking to have their claims in the case reinstated.

State officials assumed that they would be granted a seat at the table, Environment Secretary Ron Curry said in an interview.

"I felt that because we were acting on behalf of the state and on behalf of the governor that our being admitted was, if not automatic, close to it," Curry said. Madrid's office made a similar assumption, according to a brief filed with the NRC.

Richardson complained about the NRC's decision to exclude most of the state's concerns, saying in a letter to the NRC that the decision deprives the state of a say in the issue.

"Such a decision, particularly on procedural grounds, is regrettable," he wrote.

LEA COUNTIANS: CONSIDER WHAT HAPPENED IN KENTUCKY BEFORE DECIDING ON LES PLANT HERE

HERE'S WHAT HAPPENED WHEN LES-TYPE WASTE WAS STORED IN KY

1. **CANCER, REPRODUCTIVE/IMMUNOLOGICAL DISORDERS, DAMAGE TO GROWTH GLANDS AND LIVER - DIOXIN.** One of the most deadly carcinogens, dioxin has leaked from the plant in Paducah. The dioxin had contaminated enough soil at four plant sites by 1990 that the state required the soil to be excavated and put in drums. The dirt contained as much as 4.5 times the dioxin that the state allowed.

2. **DEATH, CANCER - PLUTONIUM/NEPTUNIUM.** Often referred to as the world's deadliest poison, plutonium was detected in soil (8 miles and 9.3 miles from the plant), applies trees, vegetable gardens, and crops grown nearby. The 11.6 ounces of plutonium known to have passed through the Paducah plant was enough to kill more than 4.1 million people - more than all the men, women, and children in Kentucky - if they each had inhaled just one speck.

3. **DEAD FISH, CANCER - LEAD.** Fish studied for at least 12 years show toxic fish. Streams near the plant contain 50 to 100 times as much lead as they did before the plant.

4. **DEAD ANIMALS, CANCER - POLYCHLORINATED BIPHENYLS (PCBS).** Cause cancer and other diseases have been found at significant levels in fish, hawks, mice, rats, mink, raccoons, and a bobcat.

5. **CANCER - TRI-CHLOROETHYLENE and TECHNETIUM.** Tri-chloroethylene, a suspected carcinogen, and Technetium, a radioactive chemical, have been spreading northward from the plant and at least one is believed to have reached the river. Traces of contaminants have penetrated as far as 14 stories below ground.

6. **CANCER - CONTAMINATED GASES.** Contaminated gases have been released for decades, though the Department of Energy does not know the magnitude of these releases.

7. **OTHER TOXINS INCLUDE CESIUM, BERYLLIUM, CADMIUM, URANIUM, COPPER, NICKEL, SILVER, ZINC, VANADIUM, STRONTIUM, TECHNETIUM, PLUTONIUM**

PROTECT YOURSELF, YOUR FAMILY, AND YOUR COMMUNITY! DEMAND THAT LES ADDRESS THE WASTE-DISPOSAL ISSUE BEFORE BUILDING ITS TOXIC PLANT!

INFORMATION BELOW TAKEN FROM:

Toxins Altering Life in Fragile Ecosystem: Official Reassurances Breed Skepticism
James Carroll and James Malone, The Courier-Journal (Louisville, KY)

To learn more, go to:

http://www.courier-journal.com/cjextra/uranium/feageyd2_env.html OR visit the Citizens Nuclear Information Center at www.cnic.us