

From: <wetlands@chaffee.net>  
To: <tcj@nrc.gov>  
Date: 10/31/03 3:47PM  
Subject: Public Comment For LES/EUNICE waste dump and processing plant

2/4/04  
69FR 5374

(H)

Please receive the attached MSWORD file detailing my comments and concerns regarding the above project in advance of the category 3 meeting November 4, 2003 in Eunice NM.

Please confirm that you have received the file intact.

Best regards,

John Grove

CC: <wetlands@chaffee.net>

RECEIVED  
2004 FEB 19 AM 9:19  
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Template = ADM-013

E-RFDS = ADM-03  
Call = T. Johnson (TCS)  
M. Wong (MCW)

T. Johnson, Public Contact  
Nuclear Regulatory Commission  
Transmitted via email tcj@nrc.gov

October 31, 2003

RE: Public Comments, Category # 3 Meeting regarding applicable NRC  
permitting process for LES' proposed gas centrifuge facility near Eunice, NM.

Mr. Johnson:

I am a private citizen, and an environmental scientist. I was born in Colorado and have spent significant amounts of my life enjoying the rugged beauty of New Mexico and Southern Colorado. I have only recently become aware of the nuclear fuel "processing" facility currently proposed near Eunice by reading a news article in the Albuquerque Tribune. From the information I have been able to find thus far, I have a number of personal and professional concerns regarding this project and would like these comments entered into the public record as I will be unable to physically attend the upcoming category 3 public meeting. I request that you include these concerns as the public process extends to scoping of Environmental Impact Statements (EIS), applicant suitability/feasibility determinations, etc.

I have been a professional environmental consultant engaged in jurisdictional wetland and watershed management projects since 1988. I am routinely involved in the design/construction of wetland mitigation sites and constructed wetland wastewater treatment systems in the mountains of the Western States. In this practice, significant attention is necessarily devoted to the often complicated concerns of such "engineered habitats" regarding their interface with the surrounding landscape/natural environment.

Accordingly, I have significant concerns regarding the waste and process waters generated by the proposed plant. My understanding is that, as proposed, significant areas of open "lagoons" will be created to deal with the effluent and process cooling water. In my experience, ANY significant area of open water, (especially warmed process waters), are amazingly effective in attracting birds, insects and other wildlife. As evidence of this, I have personally documented case history in Colorado where the EPA has cited concerns over the international migratory bird treaty act in rejecting requests for wetlands impacts less than 1/3 acre in size.

My chief ecological concern is over the "unintentional habitat" that will be created by these process ponds. As their pseudonyms imply, ponds/lagoons are notorious attractions for wildlife. These waste ponds will be located directly in the central flyway, an intercontinental migratory route whose vital importance to songbirds, grassland birds, waterfowl and countless other species is already well known. However, our knowledge of the emerging role of this important funnel

area in effecting species management in the *non-breeding seasons* is still only formative at best.

I have found disturbing information on the internet which alleges radioactivity found in localized pigeon populations was attributed a similar fuel processing facility in the Europe. I read also that "only" 3% of the process waters will be "contaminated" by contact with nuclear materials, however there is little information readily available on the details of the proposed process. Regardless, I have significant doubts as to whether the applicants have fully evaluated the vector potential of locating nuclear wastewater "lagoons" in what can arguably be called the funnel of 3 major migratory bird flyways. I request that the NRC assure these issues are identified and properly addressed, in addition to specifically listing Ducks Unlimited, area conservation groups, and all international participants in the Migratory Bird Treaty Act as formal stakeholders in this process.

I also have concerns about the water volumes used by the facility. In reviewing press and other limited information, it has been said that Eunice gets its water from Hobbs and "another" source. Where is that second source? Where is Hobbs' source located? Are there well/aquifer issues? It has also been said that Eunice has "more than enough" water for the project. I ask, by how much? Will there be future limits to this supply once the full amount is dedicated to the plant? Where is the documentation on the volumes, consumptive uses, associated water rights? What contingency measures are proposed, or even possible, in the event that groundwater does become contaminated?

With the worst drought in recorded history still just a recent memory, I believe it is irresponsible for any government official to say there is "more than enough" water to justify losing millions of gallons to the desert air. The public is entitled to a complete understanding of the whole picture concerning the water budget for the entire plant operation. Despite concerns for "security" and "proprietary interests", this information must be sufficiently detailed to afford a peer-reviewed engineering evaluation in order to effectively cross check data, as well as to verify the assumptions/predictions used were within reasonable parameters.

On a personal level, I am concerned about the ever present carrot of "job creation" that is being dangled in front of the local residents as a motivation to support the project. I myself live in a town of around 2,000 residents—one that long ago was sold the familiar line about "quality jobs" from the largest employer in the area: a prison. In reality, almost none of the jobs are of sufficient income to allow single wage earner families, leaving both parents still scrabbling for seasonal work to survive.

Similarly, in Eunice after construction is finished, I have to ask how many nuclear scientists are living in the vicinity who will be employed there? I believe it is much more likely that locals will work in a relatively small number of service/maintenance and food/sanitation staff positions. Regardless of corporate propaganda, inevitably the high level "quality jobs" will go to those

relocating from elsewhere. I believe it is appropriate for the applicant to undertake a detailed assessment of the projected economic impact of the plant on the surrounding community. Further, this study should specifically disclose the number/type of jobs, and provide the sources/background of all information used in the study to afford independent peer-review. Only then should the public hold such information to be valid.

I am greatly concerned with the negative press that I have come across regarding L.E.S and its parent company/consortium. It seems that the superficial and dismissive commentary thus far in the New Mexico project sounds strikingly similar to sweeping assertions made previously about the environmental impacts of unsuccessful attempts to locate the plant in Louisiana and Tennessee. However, a disturbing trend has become visible by this 3<sup>rd</sup> time at bat: The L.E.S. consortium seems to be targeting economically disadvantaged areas, because only in such depressed communities will you find political leaders so eager to chase the golden carrot of jobs. Obviously, with 2 failed attempts in behind them, L.E.S. faces an increasingly urgent requirement of finding a politically "permit-able" location. Unfortunately, this is resulting in a cart-before-the-horse process that looks more and more like institutionalized discrimination than a technical business feasibility investigation.

Again, information has been difficult to find in short order, however I can say that technical details regarding the project seem to become something like a watermelon seed—slipping away the tighter one closes in on them. In reality we can know essentially nothing of the "proprietary process" proposed for the Eunice facility, and the truth is that we never will be told, ostensibly for "security reasons". Lacking our vigilance, "security" has already become a catch all pariah excuse for anything government and corporations don't want to take the time to sufficiently explain.

What is clear here is that the public really knows nothing about the proposed "centrifuge process" except that that is expected to generate jobs, "waste" water, and evidently some very unusual "by-products". About these "by-products", we evidently know only one thing for certain: No other dump site currently exists—**anywhere** "else"—where these wastes can be moved to and "permanently" disposed of.

In short, the entire approach to the processing plant seems to be just a larger scale version of sealing wastes in "special" 50 gallon barrels and stacking them "temporarily"—a costly mistake, made and regretted at existing nuclear plants, rocky flats, and countless military bases, etc around the globe. The basic premise of "temporary" storage of nuclear wastes is proven to be highly-irresponsible. To allow the proposed processing facility to begin operations prior to having completed construction on **all** operating phases of a comprehensive waste management/storage plan is simply unthinkable. How do you properly scope an EIS document for an incomplete process?

Would we allow a new jiffy lube to open if they planned to "temporarily" store wastes on site for "several years" or even decades until they could construct another "away" to dump their waste? Would we allow the Jiffy lube to "temporarily" store such wastes if in fact there were no known locations to accept such wastes for "disposal"? Should we do so with nuclear wastes?

We must remember that temporary storage is a relative term with vague significance in the realm of nuclear waste. Requiring isolation for a period more than 4 times longer than all of recorded human history, decades can seem insignificant in comparison. However to the general public, storage of nuclear wastes for decades is really nothing temporary at all. The nuclear industry is replete with examples of the lingering effects of "short-term" and temporary storage problems, which often cause other permanent "collateral damages".

Therefore, it is intentionally misleading to describe the project only as a processing facility. In reality, this project is also, in fact, nuclear waste storage facility—nothing short of a smaller, "temporary" Yucca mountain. No matter how high tech, or how far underground, these facilities are still-- in the end --a dumping ground. We are talking about a process that generates nuclear waste that no existing facility will accept, and being told that construction of one is "expected within the next several years" which has already extended to talk of a "decade or longer". Therefore, I suggest that to name the project the National Reprocessing Facility is intentionally disguising the full extent of the project by deliberately masking the nuclear internment components the project implicitly entails.

In summary, I believe there is a disturbing inertia behind the project already when it appears that so many profound issues have yet to be identified, let alone answered. I ask that you leave no stone unturned in a meticulous and thorough review of this application, especially in light of the obvious complicated environmental and terrorist/security issues involved.

Sincerely,

John Grove

**From:** LES\_EIS  
**To:** Doris Mendiola  
**Date:** 2/18/04 4:38PM  
**Subject:** LES Comment 4 : Public Comment For LES/EUNICE waste dump and processing plant