



BILL RICHARDSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Office of the Secretary
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502-6110
Telephone: (505) 827-2855
Fax: (505) 827-2836



RON CURRY
SECRETARY

DERRITH WATCHMAN-MOORE
DEPUTY SECRETARY

March 3, 2004

2/4/04
69FR5374

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Mr. Michael T. Lesar
Chief, Rules and Directive Branch
Mail Stop T6-D59
U.S. Nuclear Regulatory Commission
Washington DC, 20555-0001

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2004 MAR 10 AM 8:54
Rules and Directives
Branch
USNRC

RE: Docket Number: 70-3103

Dear Mr. Lesar:

I write this letter to you today in order to submit the New Mexico Environment Department (NMED) and State of New Mexico's comments on environmental issues related to the uranium enrichment plant proposed for Lea County, New Mexico.

If built, this facility would be the first of its kind in the state of New Mexico. Indeed, this facility would use a technology not currently in use at any commercial uranium enrichment facility in the United States. I would therefore like to request the most thorough, holistic and intensive environmental review possible.

I understand that the Nuclear Regulatory Commission (NRC) is currently considering the scope of the Environmental Impact Statement (EIS) for this facility. Currently included in this scope are land use, transportation, geology and soils, water resources, ecology, air quality, noise, historical and cultural resources, visual and scenic resources, socioeconomics, environmental justice, public and occupational health, and waste management. I believe that this is a good, inclusive list and would like to request that none of these topics be dropped from the EIS. I would also like to ask that special attention be paid to two of these items through the EIS and licensing processes: environmental justice and waste management.

Environmental justice is an issue of growing importance to this Department as well as to the U.S. Environmental Protection Agency (EPA) and citizens' groups around the country. I hope it will be thoroughly examined in the EIS.

E-RIDS = ADM-03
Add = T. Johnson (NRC)
M. Wong (MCW)


Template = ADM-013

Waste management is also of central importance to NMED and the State of New Mexico. As you know, there is not currently a facility operating anywhere in the country that could accept and de-convert the depleted uranium "tails" that this facility will produce. Given this fact and the assurances that Louisiana Energy Services (LES) have made to the state that there will be no "long term storage or disposal of this waste in New Mexico," I hope this issue will be closely examined in the EIS and license application. NMED also intends to use permitting and other regulatory authority to ensure that this waste leaves the state in a timely manner.

NMED will require up to eight permits for this facility including regulation of air, ground water and surface water discharges as well as hazardous waste. Through the process of permit review, the state intends to thoroughly examine each and every aspect of this proposed facility before any approvals are given. We expect that the NRC will take a similarly intense approach in the licensing of this facility.

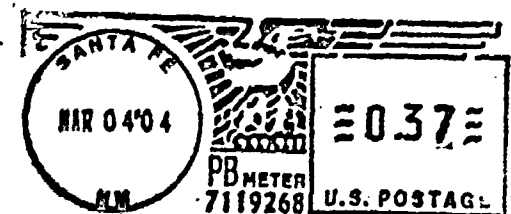
As I have done today with this letter, the state intends to continue to make its voice heard throughout the NRC's review of LES' license application. I hope that this communication will run both ways. Please contact me at any time if I can help you with any further information.

Sincerely,


Ron Curry
Cabinet Secretary, NMED

cc: Mayor Richard Greene, EPA Region 6
Ned Farquhar, Governor's Office
Jon Goldstein, NMED
Clay Clarke, NMED
Tannis Fox, NMED

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20555+0001

