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2/4/04
69 FR 5374

From: "PHILLIP BARR" <pharb2@msn.com>
To: "LES_EIS LES_EIS" <LES_EIS@nrc.gov>, <leavitt.michael@epa.gov>
Date: 3/14/04 10:41AM
Subject: Fw: Fw: Louisiana Energy Services enrichment plant andNational Security obj. to LES lis. app

I object to any nuclear waste going to landfills.
Why should this state be made into a dumpground for this stuff. Just because Domenici has friends at LES is no reason.
Notice this landfill thing never made it to the papers.
You government types need to Look up ethics sometimes...
Phillip Barr
Lea County
Nuclear Power and Weapons Waste to go to Regular Landfills

and other â?oNon-Regulated Managementâ?

RECEIVED
2004 MAR 16 PM 1:13
Rules and Directives Branch USEPA

Environmental Protection Agency joins Nuclear Regulatory Commission, Departments of Energy and Transportation in Deregulating Radioactive Waste

Comments due to EPA by March 17, 2004

Email to: a-and-r-Docket@epa.gov

The US Environmental Protection Agency is planning to make a new rule that would allow nuclear waste to go to places that are not licensed for radioactive materials.

The goal appears to be to redefine radioactive materials, no matter what their source (nuclear power, nuclear weapons, naturally occurring or other), based on EPA-calculated and projected risks. The new category of nuclear materials (once called BRC or Below Regulatory Concern) would supposedly not need radioactive regulatory controls. EPA does not consider all the potential health effects of radiation and hazardous materials in estimating the risks. They have never demonstrated the accuracy of their predictions.

1) First, EPA would allow mixed radioactive and hazardous wastes to go to facilities permitted for hazardous waste only (RCRA C hazardous waste dumps and processors).

2) Second, radioactive waste (not mixed with hazardous) could be permitted to go to places that do not have radioactive licenses or regulations, such as regular garbage dumps or incinerators or hazardous sites. EPA justifies this by claiming they will provide an acceptable level of protection from radiation risk. It seems obvious this would be a problem for communities around the waste sites, many of which already leak.

E-RIDS = ADM-03
Add = T. Gremore (TGS)
M. Wong (MEW)

Template = ADM-013

3) Third, EPA suggests that a â?onon-regulatory approachâ? to management of radioactive waste is an option and requests creative ideas for â?opartneringâ? with waste generators or other schemes to relieve the regulatory burden. Nothing would prevent radioactive materials from going to recycling facilities and being mixed with the normal recycling streams which are made into everyday household items like toys, cookware, personal use items, cars, furniture and civil engineering projects like roads and buildings.

4) This dangerous proposal dovetails neatly into the US Nuclear Regulatory Commission's rulemaking to deregulate and release radioactive material from control, ironically called "Control of Solids." The NRC is considering several options for nuclear waste deregulation including continuing the current case-by-case release procedures, starting new release procedures that are based on projected risks, sending the waste to sites that are not licensed for nuclear materials. NRC is claiming they could approve "restricted" release of nuclear waste meaning certain conditions would apply but that NRC would not enforce them--someone else, as yet un-named would.

The upshot is that NRC and EPA are joining forces to allow nuclear power and weapons waste which is now generally required to be regulated and controlled, to be released to waste sites never designed to take radioactive materials and either deliberately or unintentionally to the marketplace where it will come into routine daily contact with us, our children and environment.

5) To make matters even worse, the US NRC and US Department of Transportation are on the verge of finalizing new transport regulations (TSR-1) that would exempt various levels of hundreds of radionuclides from regulatory control in transit. This will make it easier for NRC and EPA to deregulate nuclear wastes since they will no longer require regulation, labeling or control as radioactive material during transportation. (This is especially distressing in light of increased security concerns about transportation of nuclear materials that could be used for dirty bombs. More unregulated nuclear materials will be on the roads, rails, barges and aircraft.)

6) Finally, the Department of Energy is in the process of a Programmatic Environmental Impact Statement on releasing radioactive materials from its sites. In 2000, DOE halted the commercial recycling of potentially radioactive metals from certain contaminated area on its sites, but could resume it. DOE continues to allow radioactively contaminated metals out for unregulated disposal and to allow other radioactively contaminated materials out for recycling or unregulated disposalâ?"soils, concrete, asphalt, plastic, wood, equipment, buildings, sites and more. EPAâ?Ts Nov. 18, 2003 notice would help legalize DOEâ?Ts release of nuclear weapons wastes from regulatory control.

ACTIONS:

1) Send a letter to the new EPA Administrator Mike Leavitt telling him what you think of the EPA's proposed action, encouraging him withdraw it.

Administrator Mike Leavitt, US Environmental Protection Agency, 1101A,

Ariel Rios Building, 1200 Pennsylvania Avenue N.W. Washington, DC 20460

leavitt.michael@epa.gov

2) Comment to EPA and get organizations and landfill boards to do so at

a-and-r-Docket@epa.gov

The proposal is on the EPA website (www.epa.gov/radiation) and will be posted with comments on NIRS website (www.nirs.org) soon.

3) Let your elected officials know how you feel about these dangers by sending them a copy of your letter to Secretary Leavitt, comments to EPA, NRC, DOT and/or DOE and telling them about your opposition to the federal rules that would deregulate and exempt nuclear materials from regulation.

For more information contact:

Diane D'Arrigo, Nuclear Information and Resource Service (NIRS), 1424 16th Street NW Suite 404, Washington, DC 20036, dianed@nirs.org, 202 328-0002 ext 16

See NIRS website under Campaigns at www.nirs.org for more info and actions.

----- Original Message -----
From: LES_EIS LES_EIS
To: pharb2@msn.com
Sent: Thursday, March 11, 2004 12:09 PM
Subject: Re: Fw: Louisiana Energy Services enrichment plant andNational Security

Dear Mr. Barr-

Thank you so much for your comments. The comments you have previously provided are being considered in the preparation of the EIS. I had hoped to meet you at last week's scoping meeting in Eunice.

Your previous comment submitted via email on 3/4 contained a link to http://search.csmonitor.com/search_content/0302/p01s03-wogi.html

Unfortunately, CSM has removed this article from their open website to their archive files which one has to be a registered user to gain access. For this to be properly evaluated in the EIS, we would need to see the article. Would it be possible for you to send me an electronic copy of the file?

Thank you for your consideration,
Melanie

Melanie Wong,

Environmental Project Manager
U.S. Nuclear Regulatory Commission

>>> "PHILLIP BARR" <pharb2@msn.com> 03/04/04 02:03PM >>>
Afternoon,
Subject: Urenco, Louisiana Energy Services and National Security

It appears Urenco has been responsible for the spread of nuclear technology to some very unfriendly governments. What is the NRC's position on this? What is to keep Urenco from letting another DR Khan walk out a front gate of a Les plant in New Mexico with advanced technology, maybe this time with some US technology?

http://search.csmonitor.com/search_content/0302/p01s03-wogi.html

Phillip Barr
Lea County

CC: "Ned" <Ned.Farquhar@state.nm.us>, <letters@abqtrib.com>, <letters@time.com>, "Steve Terrell" <sterrell@sfnewmexican.com>