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To: <LES\_EIS@nrc.gov>  
Date: 3/18/04 6:59PM  
Subject: Comment Letter - Against the Uranium Enrichment Facility

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Rules and Directives Branch

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By email to LES\_EIS@nrc.gov

March 18, 2004

Rules and Directives Branch  
U.S. Nuclear Regulatory Commission  
Mail Stop T6-D59  
Washington, D.C. 20555-0001

Re: Docket Number 70-3103

Dear Rules and Directives Branch,

In response to Federal Register of February 4, 2004 (Volume 69, Number 23) regarding a gas centrifuge uranium enrichment facility proposed to be built near Eunice, New Mexico by Louisiana Energy Services (LES), I request that the Nuclear Regulatory Commission include the following item within the scope of the Environmental Impact Statement (EIS).

These concerns have been well documented based on LES' past experience and similar projects. In addition, the proposed area is full of agricultural activities, especially dairies. New Mexico has spent much money on building this industry. What environmental impact will this have on this and similar types of businesses? As a native from this area, I am extremely concerned about the health and negative economic impact this will have on my community.

AIR

I also question and request that the commission consider the potential impact of air emissions from this facility on the health and safety of New Mexico and Texas residents. I refer the Commission to a recent article in the UK Observer (<sup>3</sup>Plutonium from Sellafield in all Children's Teeth,<sup>2</sup> November 30, 2003) which details scientific findings showing that proximity to the Sellafield nuclear fuel facility (which is operated by one of the partners of the proposed facility in Eunice, British Nuclear Fuels Ltd.) was an significant indicator of the amount of radioactive plutonium found in children's teeth.

Furthermore, LES has admitted to lying about the proposed plant's air and water emissions. In an article published in the Lebanon (Tennessee) Democrat on Monday, August 11, 2003, entitled <sup>3</sup>LES admits lies told - Former leaders made untrue statements.<sup>2</sup> The Tennessean, the state's newspaper of record, on Wednesday, March 19, 2003, wrote, <sup>3</sup>LES alters position on air and water releases.<sup>2</sup> The article begins, <sup>3</sup>At first, Louisiana Energy Services officials said their proposed uranium enrichment plant 50 miles northeast of Nashville will release no radiation at all. Then in October, company officials said not only would water released to the Cumberland River contain no radiation, but also it would be cleaner than when they got it. However, small of amounts of radioactive particles would be released to the Cumberland River and into the air if the plant is built, officials now say.<sup>2</sup>

E-RIDS-ADM-03  
Add = T. Johnson (TOS)  
m. Wong (mew)

Template = ADM-03

### NUCLEAR DUST

I request that the Commission include a thorough examination of the potential impact to human health and the environment from radioactive dust storms should this facility be built. Southeastern New Mexico is famous for its frequent and sometimes violent dust storms that can spread dust particles for miles (see <sup>1</sup>New Mexico Dust Dirties Wisconsin Town, Albuquerque Journal, December 18, 2003). As we have seen in other areas where nuclear facilities operate, soil contamination is not uncommon (see <sup>2</sup>Judge considers contamination suit against Paducah, KY Nuclear Fuel Plant,<sup>2</sup> Paducah Sun, December 23, 2003). What is the human health implication of dust storms exposing Lea County (New Mexico) and Andrews County (Texas) residents with radioactive dust particles for a period of up to 50 years, considering that the plant will operate for 30 years and that soil contamination could remain for a period of time after the closure. Please include an analysis of resuspension of these particles and the cumulative health impacts of resuspension.

I have heard that one proposal is to allow the contaminated water to sit in an above ground <sup>3</sup>evaporative pond.<sup>2</sup> If this is the case, it is a virtual certainty that the sand surrounding the plant will be contaminated and will have the potential to blow across communities for hundreds of miles. How will LES prevent the spread of radioactive dust? Please consider a thorough examination of this issue in your EIS.

### WATER

In southeastern New Mexico, where water is scarce and even sacred, we cannot afford to put our water supply in jeopardy. In this case, LES has questionable credibility and we can hardly afford to take a chance that they are either lying to us, or that some mishap will not contaminate the Ogallala Aquifer. The stakes are too high.

I am concerned about the impact to the ground water, specifically the Ogallala aquifer over which this facility will be built. Given the fact there is no facility currently licensed to accept LES's waste and that no such facility is currently on the drawing boards, the likelihood is that the waste will be stored for at least several decades on or near the proposed site. The experience of similar facilities in Kentucky and Ohio have shown that storage of this type of material can and does leak and can cause great environmental and human health and safety damage.

Please consider air emissions and surface and groundwater contamination within the scope of the EIS.

### WATER USAGE

I am concerned about the availability of water to supply this plant while still meeting current demands in the Hobbs and Eunice area. I have heard arguments that the plant's consumption is not high relative to other industrial uses, but we live in a desert and water is precious.

Further, if there is any surface or groundwater contamination from the operation or waste storage associated with this plant, there could be even tighter supplies of water. While LES claims that they will use 25 million gallons of water annually, they have admitted to misleading the public before. Therefore, the residents of the Hobbs and Eunice area must have some firm assurance that LES will not use in excess of 25 million gallons of water annually, such as the imposition of heavy fines

for exceeding the limit. Water is too precious to this area. Please include a thorough examination of water supply issues for southeastern New Mexico and west Texas in preparing the EIS.

## ECONOMIC IMPACT

### Bonds/Taxes

I strongly question Lea County's providing tax breaks, municipal bonds and other public funds to LES for this project given both the questionable world market demand for enriched uranium and the financial health of at least one of its major partners, British Nuclear Fuels, Ltd (see <sup>3</sup>British energy begs for more government money,<sup>2</sup> Reuters UK, November 11, 2003). Given the above, please review the environmental and human health and safety impacts should this company fail to meet its financial projections and be forced to cut corners on operations, worker safety and/or waste disposal.

### Jobs

I request the Commission include in the EIS the number and quality of local jobs projected by LES should this facility be built. According to industry reports, the machines for the plant will be built overseas and imported and assembled on site. Given LES's certain need of highly technical skills that do not exist to any significant degree in Lea County – e.g. nuclear, mechanical and chemical engineers - how many jobs can LES realistically offer the citizens of Lea County? If the promised economic benefits do not materialize, our public funds would be better spent promoting other forms of economic growth that do not carry with them the risks of a uranium enrichment facility. To support this concern, one need not look farther than Paducah, Kentucky, the home of a similar facility, which is now seeing property values plummet as a result of nuclear contamination (see <sup>3</sup>Judge considers contamination suit against Paducah, Kentucky Nuclear Fuel Plant,<sup>2</sup> Paducah Sun, December 23, 2003).

## PAST TRACK RECORD OF LES

I am concerned about the environmental and national security track records of the principal corporate backers of the proposed National Enrichment Facility, Urenco and British Nuclear Fuels Ltd. Urenco has been the subject of several years of intense scrutiny over alleged security lapses that have led to the leaking of sensitive nuclear information to Libya, Pakistan, Iraq, Iran and North Korea (New York Times, <sup>3</sup>Roots of Pakistan Atomic Scandal Traced to Europe,<sup>2</sup> February 19, 2004; and Time magazine, <sup>3</sup>A Radioactive Project Hits Snag with Bush Administration,<sup>2</sup> March 1, 2004).

BNFL, parent company of Westinghouse, which is another player in this project, operated the disastrous Sellafield nuclear facility in the United Kingdom. Sellafield was shut down for numerous environmental and safety violations. The former chief executive officer of Westinghouse, the man under whose watch Sellafield ran amok, is now the head of Urenco, the parent company of LES.

Given the track record of both major backers of this project, I request that the EIS provide a detailed review of the national security and environmental policies of all the corporate participants in this project so we can be assured that significant and substantive improvements have been made in these areas. I respectfully request that the national security agencies be provided copies of the EIS, including but not limited to the National Security Agency, Department of Homeland Security, Department of State, Department of Defense, Department of Justice, Federal Bureau of Investigation and the Central Intelligence Agency as well as relevant Congressional committees such as the Select Committees on Intelligence.

I have been a resident of New Mexico for 43 years. I grew up in Lea County, and my family still lives there. Although we are the poorest state in the US, we should not put our residents at risk for economic development projects might provide more damage than good. I thank you for your thorough review of my concerns.

Sincerely,  
I. Barraza  
PO Box 25042  
Albuquerque, NM 87125-0042

CC: <awilliams@nuclearactive.org>