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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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PUBLIC MEETING ON
DRAFT ENVIRONMENTAL IMPACT
STATEMENTS FOR THE PROPOSED
INTERNATIONAL ISOTOPES FLUORINE
PLANT IN LEA COUNTY, NEW MEXICO

+ + + + +

Thursday, February 2, 2012

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Lea County Event Center
5101 Lovington Highway
Hobbs, New Mexico

+ + + + +

5:30 p.m.

BEFORE:

BRIAN ANDERSON, Facilitator

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A G E N D A

<u>ITEM</u>	<u>PAGE</u>
Opening Remarks and Introductions	3
The NRC Roles and Responsibilities	8
Status of the NRC Licensing Process	12
The Draft Environmental Impact Statement	16
Question-and-Answer Period	27
Receive Public Comments	
	34
Adjourn	47

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P R O C E E D I N G S

1
2 MR. ANDERSON: Good evening. Thank you
3 all for taking time to join us tonight. This is a
4 Nuclear Regulatory Commission public meeting to
5 discuss the draft environmental impact statement for
6 the proposed fluorine extraction process and depleted
7 uranium deconversion plant here in Lea County, New
8 Mexico, and I challenge anybody to say that three
9 times fast.

10 My name is Brian Anderson. I will be the
11 NRC facilitator for tonight's meeting, and what that
12 means is I'm just here to help the meeting go smoothly
13 and ensure that everybody has a chance to participate
14 in an equal and fair way.

15 The agenda for tonight's meeting is really
16 three parts. We're going to start with a set of
17 presentations that the NRC staff is going to provide.
18 After those presentations we'll have a short question-
19 and-answer session, any questions that you might have
20 based on the presentations that the NRC just provided.
21 And then the third part is really the most important
22 part of tonight's meeting, and that is to hear your
23 comments related to the NRC's review of this proposed
24 activity.

25 I'd like to introduce the NRC staff

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1 members that will be making presentations tonight. Dr.
2 Kevin Hsueh is chief of the Environmental Review
3 Branch in the NRC's Office of Federal and State
4 Materials and Environmental Management Programs. He
5 has a PhD in radiation health physics from MIT, and he
6 is a certified health physicist by the American Board
7 of Health Physics.

8 Maria Guardiola is a project manager in
9 the NRC's Office of Nuclear Material Safety and
10 Safeguards. She has a bachelor's degree in chemical
11 engineering from the University of Puerto Rico.

12 And Dr. Asimios Malliakos is a project
13 manager in the NRC's Office of Federal and State
14 Materials and Environmental Management Programs. He
15 has a PhD in nuclear engineering from the University
16 of Missouri Columbia.

17 Other members of the NRC staff that are
18 here tonight but are not going to be providing
19 presentations: Diana Diaz-Toro is a project manger in
20 the NRC's Office of Federal and State Materials and
21 Environmental Management Programs; Patty Silva is
22 chief of the Conversion, Deconversion and Enrichment
23 Branch in the NRC's Office of Nuclear Materials Safety
24 and Safeguards; Matt Bartlett is a project manager in
25 the NRC's Office of Nuclear Materials Safety and

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1 Safeguards; and all the way in back, Mr. Roger Hannah
2 is with the NRC's Office of Public Affairs.

3 If there are any members of the media or
4 journalists that have any questions tonight, Roger is
5 a great guy to talk to.

6 Before we move into the presentations, I'd
7 like to cover a few housekeeping items and ground
8 rules for tonight's meeting. As you might have
9 noticed on your way in, there are copies of the agenda
10 and presentation materials from tonight's meeting.
11 Please feel free to help yourself to copies of that or
12 other NRC literature before you leave tonight.

13 There are also feedback forms that are
14 available on the table out in the lobby. Public
15 meetings like this one are an extremely important part
16 of the NRC's safety mission, so please feel free to
17 share feedback with us using those forms, anything
18 that you have in terms of comments of feedback that
19 can improve the way that the NRC performs public
20 meetings would be much appreciated. Won't even
21 require a stamp, it's postage paid, so feel free to
22 use those feedback forms as you wish.

23 To help minimize disruptions, I'd ask that
24 you please silence all mobile phones; turn your
25 ringers off or set the phones to vibrate or just turn

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1 the phone off completely, or whatever you're most
2 comfortable with.

3 The question-and-answer session that I
4 referred to after the NRC presentations, not all NRC
5 technical experts that are involved in this project
6 are here tonight, so it's possible that some questions
7 that you have we don't have the exact people who can
8 give you the best answer to those questions here
9 tonight.

10 The NRC staff that's here is prepared to
11 answer is prepared to answer questions related to the
12 review process and some of the material that's in the
13 presentation slides. So if for whatever reason we're
14 not able to provide an answer to your question here
15 tonight at this meeting, we'll certainly consult with
16 technical experts back at NRC headquarters and get
17 back to you with an answer after we've had a chance to
18 look into your question further.

19 And in terms of providing comments, like I
20 said, that's the most important part of this meeting
21 is to hear your comments on the NRC's review of this
22 activity. When you came in, if you missed the table
23 in front you would have been asked to fill out a
24 comment card.

25 That's a yellow card that indicates that

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1 you'd like to make a spoken comment tonight. There's
2 no need to rush out there if you haven't done that
3 now, but if you would like to make a comment tonight,
4 I'd ask that you please fill out a yellow card so that
5 we can have your name correctly spelled for the
6 transcript and also help in the sequence of people
7 that want to provide comments.

8 And lastly before we get started, just a
9 few ground rules. Obviously a lot of folks are here
10 tonight to hear the NRC's presentation and listen to
11 comments, some are here to provide comments. I'd ask
12 that those that are providing comments please be
13 concise and limit your comments to no more than five
14 minutes. That's just to help ensure that everybody
15 that wants a chance to speak, everybody has a fair and
16 equal amount of time to do so.

17 This is not the only opportunity to
18 provide comments. You don't even have to speak at
19 this meeting in order to provide comments. The NRC
20 staff during their presentations will explain other
21 ways to provide comments outside of tonight's meeting.

22 It's also extremely important that anybody
23 that speaks tonight, whether providing comments or
24 asking questions, to please speak only into a
25 microphone. Even those of you that have loud carrying

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1 voices, even if we can hear you in the auditorium, if
2 you don't speak into a microphone, your comments, your
3 questions, any remarks that you make won't be captured
4 on the transcript that we have for this meeting, and
5 having a clean and clear transcript is an important
6 part of the record for having this meeting, and we
7 want to make sure that we have an accurate record of
8 everything that's said here tonight. So if you ask a
9 question or want to make comments, please do so only
10 speaking into a microphone.

11 And for that same reason of wanting to
12 make sure that we have a clean transcript, I'll ask
13 that we only have one person speak at a time. When
14 more than one person speaks, it's hard to pick out
15 exactly what's said, so please I'd appreciate your
16 help in advance with only one person speaking at a
17 time.

18 And lastly, it is possible that you will
19 hear things said tonight that differ from your own
20 views or differ from opinions that you hold. I'd just
21 ask that everybody here please treat each other with
22 respect and courtesy.

23 Those all sound like ground rules we can
24 live with? Okay, great.

25 With that, I'll turn it over to the NRC

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1 staff. Kevin.

2 DR. HSUEH: Thank you, Brian. Good
3 evening, everyone. It is a pleasure to be here.

4 Among the many things that we do as a
5 regulator, coming out and conducting meetings like
6 this are very important to us. It's very important
7 that we have meetings near a proposed facility so that
8 we can communicate with you and hear directly from you
9 on regulatory issues that are of interest to you.

10 In July 2010, NRC staff members were here
11 and held a scoping meeting to help us in defining the
12 scope of our environmental review. This evening we
13 would like to share with you on the status of our
14 review and also we would like to present the results
15 of the draft environmental impact statement that we
16 have prepared for the proposed International Isotopes
17 proposed facility.

18 Again, my name is Kevin Hsueh; I'm the
19 chief of the Environmental Review Branch. My branch
20 has responsibility for a variety of environmental
21 review activities. Among those is the development of
22 environmental impact statements for activities that
23 fall within my office, and also for activities that
24 fall in the Office of the Nuclear Materials Safety and
25 Safeguards which is the office for the licensing

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1 action of the International Isotopes application.

2 We develop many environmental impact
3 statements. For example, last year we completed the
4 EIS for the AREVA Eagle Rock Enrichment facility near
5 Idaho Falls in Idaho, and at this moment we are
6 finalizing the EIS for the proposed GE Hitachi
7 Enrichment facility in Wilmington, North Carolina.
8 Our staff has many years of experience and a lot of
9 expertise, including who will conduct this review and
10 are here with us this evening.

11 In terms of the Nuclear Regulatory
12 Commission, some of you may know a lot about us and
13 some of you may not know much about us, who we are,
14 why we are here tonight, and what is our role in this
15 process.

16 The Nuclear Regulatory Commission is an
17 independent federal regulatory agency, and by
18 independent, what I mean is we are not part of the
19 executive branch like DOE or EPA. We report directly
20 to the Congress of the United States through its
21 oversight committees, and as such, we have authority
22 invested in our regulatory agency under the Atomic
23 Energy Act of 1954, as amended, to license and
24 regulate the commercial nuclear power plants and other
25 uses of nuclear materials in this country.

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1 As an independent federal regulator who
2 reports directly to the Congress, our mission is to
3 ensure protection of public health and safety and the
4 environment in the use of regulated materials. We do
5 not build, we do not operate, and we do not promote
6 the use of nuclear power or nuclear materials.
7 Rather, we exist mainly for the purpose of protecting
8 public health and safety and the environment, and that
9 is our mission.

10 This evening you are going to hear from
11 two of our presenters. Maria is going to talk about
12 the safety aspects of our review, and Asimios later
13 will be talking about the environmental aspects of our
14 review.

15 The point of our being here is that the
16 applicant, International Isotopes, wants to build a
17 fluorine extraction and depleted uranium deconversion
18 facility nearby on a property that is west of Hobbs.
19 To build that facility and then to operate that
20 facility requires that a license be received from the
21 Nuclear Regulatory Commission.

22 The safety review, as well as the
23 environmental review that you are going to hear about
24 this evening are the two major components, both of
25 which are required in order for us to be able to

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1 ultimately issue a license for this facility to be
2 built and operated.

3 The environmental review, like the safety
4 review, is a critical and essential part of the
5 licensing process. The environmental review that we
6 conduct is required by the National Environmental
7 Policy Act of 1969, known as NEPA. Our regulations in
8 10 CFR Part 51 are the regulations that we use to
9 implement the requirements of NEPA. The product to
10 document our environmental review of this major
11 federal action is an environmental impact statement.

12 Right now the draft environmental impact
13 statement is available for public comment. The public
14 comment period ends on the 27th of this month. It is
15 a fairly extensive, and in my opinion, well done
16 document, and if you have not yet had a chance to
17 review it, we would encourage you to do so.

18 So what we want to do this evening is to
19 present the results of the draft environmental impact
20 statement that we have prepared, to share with you the
21 approach that is involved in the safety review, and
22 how these two reviews come together.

23 We want to listen to you, hear from you
24 and gather your comments. Also, we would like to let
25 you know that all the comments that are made this

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1 evening, including those that are provided in written
2 form, will be considered and analyzed by NRC staff,
3 will be documented as comments received, and will go
4 into the development of the final environmental impact
5 statement.

6 As I mentioned earlier, the draft
7 environmental impact statement is available for public
8 comment right now, so you have an opportunity to
9 provide written comments by the 27th of this month.
10 This evening is another opportunity for you to provide
11 comments to us so we do encourage you to use this
12 opportunity to share your comments with us.

13 With that, I will stop, and I want to
14 again thank you for coming out and being here with us,
15 and Maria will now present the safety aspect of our
16 review. Thank you.

17 MS. GUARDIOLA: Thank you, Kevin.

18 Good evening. My name is Maria Guardiola.
19 I'm a project manager at the Nuclear Regulatory
20 Commission of the Office of Nuclear Materials Safety
21 and Safeguards.

22 Tonight I will talk to you a little bit
23 about the licensing process for the proposed
24 International Isotopes facility. The topics for
25 discussion for tonight will be a description of the

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1 International Isotopes facility and a broad overview
2 of the licensing process, that is, what the NRC staff
3 does in order to license the facility.

4 The proposed location of the facility is
5 in Lea County; Hobbs, New Mexico. It's about roughly
6 14 miles west of the center of Hobbs.

7 In this slide I'm going to be talking a
8 little bit about how special nuclear material is
9 prepared to be used in a reactor and what is the
10 proposed facility's role in this process.

11 First, uranium is the element that is used
12 in the fuel of nuclear power plants in the United
13 States. Uranium occurs in nature in very small
14 amounts. It is found in the form of two isotopes, U-
15 235 and U-238. They're exactly the same but they
16 differ only in their atomic weight.

17 Most power plants use uranium U-235, which
18 is found in nature in a proportion of about 0.7
19 percent. In order for U-235 to be used in nuclear
20 reactors, it needs to be enriched between 3 to 5
21 percent. After this process is made, the byproduct of
22 the process is depleted uranium hexafluoride, or DUF_6 .
23 This compound contains U-235 in lower amounts than
24 could be used in a nuclear reactor; therefore, it can
25 be used in a nuclear power plant.

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1 The proposed International Isotopes
2 facility, what it will do is they will take the
3 depleted uranium hexafluoride, recover the fluorine
4 products, and sell them commercially.

5 This has a little brief overview of the
6 licensing schedule for the proposed International
7 Isotopes Facility. The applicant submitted an
8 application on December 30, 2009. Then it was
9 proceeded to make the environmental review and the
10 technical review which occurred at the same time or in
11 parallel.

12 In January 2012, last month, the draft
13 environmental impact statement was drafted. This
14 month we are scheduled to publish or complete the
15 safety evaluation report which contains the staff's
16 finding on the technical basis on the safety of the
17 proposed facility. The final EIS is scheduled to be
18 completed during the summer of this year after which
19 the license will be issued if it's approved.

20 Here we have a little bit of detail of
21 what goes into the technical review which actually
22 looks at the safety aspects of the application. A
23 technical review basically means the application is
24 reviewed for safety. A couple of topics that are
25 reviewed are radiation, chemical, fire, amongst

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1 others. The NRC staff makes sure that they are
2 complying with the regulations on this topic.

3 Also, with the application an integrated
4 safety analysis summary is submitted. An integrated
5 safety analysis summary is the analysis performed by
6 the applicant to verify and identify the hazards and
7 the potential for initiating accidents. It also
8 contains the items relied on for safety to mitigate or
9 prevent these accidents. The deliverable or the NRC's
10 technical evaluation or review is to publish a safety
11 evaluation report, or SER.

12 If any of you would like to contact the
13 NRC staff involving this review, you can contact
14 Matthew Bartlett, who is the lead licensing project
15 manager; or Asimios Malliakos, who is the
16 environmental project manager.

17 Still, this is not the last opportunity
18 for the public to get involved in this process. We
19 have scheduled two more public meetings. The next
20 public meeting we'll talk about the final safety
21 evaluation report and the final environmental impact
22 statement, and the next public meeting will also
23 discuss the inspection and oversight for the proposed
24 International Isotopes facility.

25 And I've included a couple of websites

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1 which you guys can go in and check a little bit about
2 the NRC and the fuel cycle facts for the proposed
3 International Isotopes facility.

4 And with that, I will leave you with
5 Asimios Malliakos, the environmental project manager.

6 DR. MALLIAKOS: Thank you, Maria, thank
7 you very much.

8 Good evening, ladies and gentlemen. Thank
9 you for coming. Without you the meeting would not be
10 possible. We were back here on July 29, 2010, during
11 the scoping meeting. I see a lot of familiar faces
12 from that time, I see them around.

13 Again, thank you for coming. A lot of
14 work has been done since that time, and we're here in
15 order to report the work that we have done or the
16 progress that we have done.

17 At the same time, I would like to take the
18 opportunity to thank my management from the NRC for
19 their support, and I would like to thank all my
20 colleagues from the NRC, those who are here and those
21 who are not here, for their support and for their
22 assistance.

23 So we're here to report the draft
24 environmental impact statement, DEIS, as we call it.
25 And what is the environmental impact statement? It's

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1 the report that the NRC uses in order to document the
2 environmental review. It's being used to describe the
3 potential environmental impacts of the proposed action
4 and the alternatives to the proposed action. It's
5 also being used as a vehicle to provide information to
6 the public, to you, and also to the decision-makers.

7 And what it includes: Obviously it has an
8 introduction and part of the introduction is the
9 description of the proposed action. In this case it
10 is for the proposed fluorine extraction and depleted
11 uranium deconversion plant. It also includes the
12 purpose and need. It includes the reasonable
13 alternatives to the proposed action.

14 There's a chapter on the affected
15 environment. It describes the existing regional and
16 local environmental conditions at and near the
17 proposed facility before any activities begin. It
18 also provides the environmental impacts associated
19 with the construction, operation and decommissioning
20 of the proposed facility. It also provides
21 mitigation, the possible measures to mitigate
22 environmental impacts from the proposed action, also
23 provides environmental measurement and monitoring
24 programs.

25 And it includes a benefit and cost

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1 analysis, the cost of the proposed action. The
2 construction and operation is going to provide some
3 benefits, but also it's going to have some costs, and
4 this analysis will provide a balance between these
5 two.

6 In the next view you see a map that
7 includes, of course, the proposed site of the proposed
8 facility and all the towns around it. This map is
9 available for those who want to see in the NRC reading
10 room, and the address is to the left of the slide. By
11 the way, we have handouts of these slides out for
12 anybody to take.

13 In the next slide it provides a closeup to
14 the previous map with many more details. The site is
15 about 14 miles west of Hobbs.

16 The next slide presents the environmental
17 review process. First we have to receive from the
18 applicant an environmental report. We review the
19 report to see if major items are missing from the
20 report. If they are, we have to go back to the
21 applicant to provide them. If the report is
22 acceptable, then the next thing is we issue a Federal
23 Register notice.

24 Immediately after that, two things begin:
25 first, we engage consulting and cooperating agencies,

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1 and the other thing is we begin the scoping period and
2 hold the public scoping meeting which took place here,
3 actually in the same room, on July 29, 2010.

4 As you will notice, there are three blocks
5 there with green color. This is the one that we're
6 talking about the public scoping meeting. These
7 blocks are in green in order to emphasize this is the
8 opportunity for the public to participate.

9 So the first one is in this case.
10 Immediately after that we publish the scoping summary
11 report, and along with the input we get from the
12 consulting and cooperating agencies, we use that in
13 order to identify and analyze the environmental
14 impacts. Then we publish the draft environmental
15 impact statement for public comment. And now is the
16 other green block here where we begin the public
17 comment period and we hold the public meeting on the
18 draft EIS, and this is what we're doing here today.

19 Based on the input we're going to get,
20 we're going to revise the draft EIS, considering your
21 comments, and publish the final environmental impact
22 statement, and that one is one of the inputs used for
23 the licensing action.

24 What the proposed action is, to construct,
25 operate a decommissioning facility to deconvert

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1 uranium hexafluoride, DUF_6 , as we call it, into
2 depleted uranium oxides for disposal. But where does
3 this DUF_6 come from? Reactor fuel requires uranium
4 with a higher proportion of uranium-235 isotope than
5 found in naturally occurring uranium which is
6 approximately 0.7 percent by weight.

7 Now, the fuel enrichment facilities use a
8 fuel enrichment process to increase the portion of U-
9 235 in the nuclear fuel. The DUF_6 is the byproduct of
10 the nuclear fuel enrichment process. The DUF_6
11 obviously has a reduced concentration of U-235 and
12 primarily is stored at the enrichment facilities. In
13 addition to deconverting DUF_6 into depleted uranium
14 oxides for disposal, the process at the proposed
15 facility would recover fluorine products for
16 commercial sale.

17 If issued a license by the NRC, the
18 proposed facility comprising 40 acres will be located
19 within a 640-acre section in Lea County, approximately
20 14 miles west of Hobbs, New Mexico, as I mentioned
21 earlier. This 640-acre parcel of land contains open
22 range land used for grazing as well as overhead
23 transmission lines and underground petroleum
24 pipelines.

25 Purpose and need. The proposed action is

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1 intended to fulfill the need to deconvert DUF_6
2 produced at the enrichment facilities to more
3 chemically stable uranium oxide compounds that are
4 generally suitable for disposal as low-level waste.
5 The Defense Nuclear Facilities Safety Board has
6 reported that long-term storage of depleted uranium,
7 DU, in the UF_6 form represents a potential chemical
8 hazard if not properly managed and conversion to more
9 stable depleted uranium oxides is preferable. The
10 proposed facility should be capable of deconverting
11 approximately one-tenth of DUF_6 projected to be
12 produced annually in the United States by commercial
13 enrichment facilities.

14 In the analysis were considered, several
15 alternatives but were eliminated from further studies,
16 considered alternative sites, alternative
17 technologies, deconversion of DUF_6 at DOE facilities,
18 overseas deconversion of DUF_6 , indefinite storage of
19 DUF_6 at the uranium enrichment facilities, and
20 deconversion of DUF_6 at the uranium enrichment
21 facilities.

22 We also, of course, include the no-action
23 alternative. What is that? Under the no-action
24 alternative, the NRC will not grant a license to
25 International Isotopes to construct, operate and

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1 decommission the proposed facility near Hobbs. No
2 facility will be built or operated or decommissioned.

3 To assess the environmental impacts, the
4 NRC defines three impact levels: SMALL, MODERATE and
5 LARGE. The SMALL environmental impacts are not
6 detectable or are so minor that they will neither
7 destabilize nor noticeably alter any important
8 attribute to the resource.

9 The MODERATE environmental effects are
10 sufficient to alter noticeably but not destabilize
11 important attributes of the resource. And the LARGE
12 ones are clearly noticeable and are sufficient to
13 destabilize important attributes of the resource.

14 This slide that you see here, the picture
15 in the slide by no means represents the site of the
16 proposed facility. As you see here to the right of
17 the slide there is some lake or sea, and there is
18 nothing near that proposed site.

19 I'm sure a lot of you are familiar with
20 the area, and there is not a big lake or a big sea
21 around, and there is not any houses close to the
22 proposed plant. This slide is used here only to
23 identify the different resources we're discussing in
24 the environmental impact statement.

25 As an example, you see above the houses

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1 here, we say socioeconomics. On that chapter we study
2 the social and economic impacts to the area because of
3 the proposed facility. The proposed facility, the
4 construction and the operation is going to create some
5 new jobs. The new jobs are going to bring some new
6 income into the area. That new income, most of it, is
7 going to be spent in the local area. But also, at the
8 same time the new jobs are going to require some
9 increase in public services.

10 There's an also we discuss in the
11 environmental impacts on historical and cultural
12 resources. The land use, as you see there -- it's a
13 little bit difficult to see on this slide the land
14 use -- we study because the construction of the
15 proposed facility is going to take some land there and
16 that one is going to have an impact of the potential
17 exclusion from other possible uses.

18 Above the land use you see transportation.
19 The construction and operation has been assessed on
20 the environmental impact statement, the traffic and
21 transportation impacts within the surrounding area
22 during the construction, operation and
23 decommissioning. And at the top you see the air
24 quality, air impacts because of the construction,
25 operation and decommission of the proposed facility.

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1 The NRC staff has preliminarily determined
2 that the environmental impacts of the proposed project
3 will be small, with the exception of small to moderate
4 impacts to air quality associated with vehicles and
5 fugitive dust emissions during the construction of the
6 facility, and non-radioactive emissions during the
7 operation of the facility.

8 During the construction of the facility
9 will be emissions from construction equipment,
10 commuter vehicles and delivery vehicles. There's also
11 going to be some fugitive dust emissions due to land
12 clearing and also dirt transfer from place to place.

13 As mitigation measures for these impacts,
14 the applicant will maintain construction equipment in
15 good working order, also will monitor and inspect
16 problems to identify malfunction of equipment for
17 prompt action. For the fugitive dust emissions, water
18 or dust suppressions will be used to control dust, and
19 beds of open body trucks will be covered when in
20 motion.

21 During operation there will be emissions
22 from equipment such as the natural gas fire boilers
23 and commuter vehicles and delivery vehicles. There
24 will also be some gaseous effluents.

25 The applicant will implement monitoring

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1 and inspection programs to detect any air emissions
2 from equipment malfunction during operations so that
3 corrective actions can be taken promptly. This is one
4 of the mitigation measures, and another one is that
5 effluents that come out during the operation will
6 undergo a scrubbing system to reduce effluents before
7 release to the atmosphere via a monitoring stack.

8 The basis for our recommendation is that
9 the NRC preliminarily concluded that the overall
10 impacts of the proposed action outweigh the small or
11 small to moderate environmental impacts based on
12 consideration of the following: the need to deconvert
13 DUF6 produced at enrichment facilities to more
14 chemically stable uranium oxide that are generally
15 suitable for disposal as low-level waste, and the
16 potential environmental impacts from the proposed
17 action are small, with the exception of small to
18 moderate for air quality.

19 Our preliminary recommendation is that
20 unless safety issues mandate otherwise, the proposed
21 license be issued to International Isotopes.

22 Now, where you can find the draft
23 environmental impact statement. It is available at
24 the NRC public document room. The address is on the
25 handouts which are available in the information desk.

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1 It is also available at the NRC's
2 Agencywide Documents Access and Management System,
3 ADAMS, as we call it. Again, the address is in the
4 handouts. It's also available at the NRC electronic
5 reading room. Please specify in the search for NUREG-
6 2113. And it's also available at the Hobbs Public
7 Library.

8 In case you need additional information,
9 we have a project web site just for this project. The
10 address, again, is available in the handouts. You can
11 find also available information at the NRC electronic
12 reading room. Please make sure you use the
13 appropriate docket number that we have in the
14 viewgraphs. You can find also available information
15 in the federal rulemaking website. Make sure you
16 specify the docket ID in the viewgraphs again. And
17 also, you can contact directly the licensing review
18 project manager, Matt Bartlett. His phone number and
19 his email are in the viewgraphs, or you can contact
20 directly me. Again, my phone number and email are
21 available.

22 And now how you make a comment: First,
23 you can speak at this meeting. You can fill out a
24 yellow comment card at this meeting, and comment cards
25 are available at the information desk.

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1 You can write to the NRC Chief, Rules,
2 Announcements and Directives Branch. Please make sure
3 if you do this you specify the docket ID from the
4 handouts. You can fax to the Chief, Rules,
5 Announcements and Directives Branch; the phone number
6 is 301-492-3446. And please make sure any comments
7 you provide, you provide to use before February 27,
8 2012.

9 Thank you.

10 MR. ANDERSON: Just as a reminder before
11 we start taking questions, not all of the NRC
12 technical experts involved in this project are here
13 tonight. The NRC staff is prepared to answer
14 questions related to its review process, how the
15 environmental and licensing reviews take place, but if
16 you have technical questions, the NRC may not be able
17 to provide an answer for you tonight, but we can
18 certainly take any question that you have and get back
19 to you at a later time.

20 And again, as a reminder, it's very
21 important that we have a record of questions and
22 comments on our official record tonight, so if you
23 have a question, please speak into a microphone. We
24 can do this, I think, one of two ways: I'll ask you
25 to raise your hand if you have a question and I can

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1 come to you with this microphone, or if you'd like to
2 step to the microphone in the center of the aisle, you
3 can do that as well.

4 Does anybody have any questions?

5 Yes, sir, and if you wouldn't mind giving
6 us your name for the record.

7 MR. HAYES: I'm Rob Hayes, I'm a resident
8 here, live here in Hobbs.

9 My biggest concern about this, and I
10 really wanted to come, I think this is a great thing,
11 but my biggest question, which doesn't seem it got
12 addressed, is the large liquid tanks of fluorine that
13 would have to get transported on our roads. I would
14 assume that there would be quite a few of them.
15 Liquid fluorine is pretty nasty stuff, kind of like
16 liquid chlorine, and I just wondered if and how that
17 was taken into consideration.

18 MR. ANDERSON: Thank you for that
19 question.

20 Who on the NRC staff can address how the
21 transportation of liquid fluorine is considered as
22 part of this review or a separate review that the NRC
23 does?

24 DR. MALLIAKOS: You're talking, basically,
25 specifically about the transportation accidents. The

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1 analysis for this was done actually by the safety
2 analysis people at the NRC. However, the results from
3 that analysis is that the number of latent cancer
4 fatalities that can happen from that is .014 latent
5 cancer fatalities. I'm going to explain what these
6 latent cancer fatalities are.

7 A latent cancer fatality is a death from
8 cancer resulting from and occurring an appreciable
9 time after exposure to ionizing radiation. Death from
10 cancer induced by exposure to radiation might occur at
11 any time after the exposure takes place. However,
12 latent cancers will be expected to occur in a
13 population from one year to many years after the
14 exposure takes place.

15 The average individual has approximately
16 one chance in four of dying from cancer if the latent
17 cancer fatality is .25. In general, if the number of
18 latent cancer fatalities estimated is less than .5 on
19 average, no latent cancer fatality will be expected.
20 And for this facility what we have is .014, so it's
21 well below the 0.5.

22 MR. BARTLETT: Let me also just interject,
23 you're specifically asking about HF, or liquid
24 fluorine, the chemical fluorine. Right? So I think
25 what Asimios is touching on is potentially due to

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1 radioactive materials which would not typically be the
2 fluorine.

3 So I don't know the specific answer to
4 your question. My initial response is the NRC would
5 be concerned about the safety of all of that, of the
6 gas and the materials on site, making sure that
7 it's -- particularly, our concern is with radioactive
8 materials, so we look at if there was a release at the
9 facility of the fluorine gas or HF gas, how that would
10 impact licensed material, radioactive material.

11 Essentially, once it's packaged and ready
12 to be shipped, once it leaves the site, from our
13 perspective it's kind of a Department of
14 Transportation issue and we would expect that
15 International Isotopes complies with the DOT
16 requirements to make sure that it's packaged and ready
17 to ship that it meets the DOT regulations.

18 MR. ANDERSON: Sir, does that answer your
19 question?

20 MR. HAYES: Yes.

21 MR. ANDERSON: Are there any other
22 questions? I see a hand in back. And ma'am, if you
23 could give us your name for the record.

24 MS. GARDNER: I'm Rose Gardner. I have
25 four questions. The first one is: are there any

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1 underground piping in the processing of the materials?
2 In other words, under the building will there be any
3 underground pipes carrying the dangerous materials?

4 MR. ANDERSON: Can anyone on the NRC staff
5 speak to the presence of underground piping at the
6 proposed facility?

7 MR. BARTLETT: I don't know off the top of
8 my head, I'd have to go back and look.

9 DR. MALLIAKOS: I do not know off the top
10 of my head of any underground piping, not to my
11 knowledge. No, there are no pipelines.

12 MR. BARTLETT: We can definitely say that
13 there's a lot of pipelines already out there that
14 handle natural gas, et cetera. International Isotopes
15 has arranged their facility to avoid those underground
16 pipelines that are already there. I think your
17 question is more specifically will they be building
18 pipelines to carry stuff. Although I think the answer
19 is no, I'd have to check to make sure.

20 MR. ANDERSON: Matt, is that a question
21 that you can take back to NRC headquarters and provide
22 a follow-up answer later?

23 MR. BARTLETT: Yes.

24 MS. GARDNER: Are there any groundwater
25 wells in that area at all that feed the Lea County

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1 communities or the ranchers or cattle in the area?

2 MR. ANDERSON: Can anyone on the NRC staff
3 speak to the presence of groundwater wells?

4 MR. BARTLETT: I can tell you that we were
5 out at the site today and prior to International
6 Isotopes acquiring the site, there were definitely
7 groundwater wells on site for cattle. We didn't tour
8 other immediate areas. I would assume there are other
9 groundwater wells out there for cattle. With regards
10 to feeding Lea County citizens, I don't know, we'd
11 have to look.

12 MS. GARDNER: Just one more, I think.
13 Regarding the transportation of the depleted uranium
14 to the site and then the final disposition of the, I
15 guess, oxides wastes after the processing, how would
16 that material be moved, on trucks, trains, or what's
17 the plan there?

18 MR. BARTLETT: It would be via truck in, I
19 believe, 14-ton cylinders. Is that correct?

20 MR. ANDERSON: Ma'am, if you would please
21 leave contact information, an email address or
22 telephone number. Thank you.

23 Are there any other questions for the NRC
24 staff? I see a hand in the front. Sir, if you could
25 please give us your name for the record.

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1 MR. CHEDEKEL: Miles Chedekel, Hobbs
2 resident.

3 I just wanted to know what the safety
4 record is of this applicant for other facilities that
5 they have run of this type.

6 MR. BARTLETT: It's been a while since
7 I've looked at it, but they have an operating facility
8 in Idaho Falls, Idaho that's a smaller facility. That
9 has, I believe, annual inspections that are done out
10 of Region IV, I believe. To my knowledge, there are
11 not any violations in those inspection reports.

12 Is that correct, John?

13 MR. MILLER: That's right.

14 MR. BARTLETT: John Miller is the
15 International Isotopes licensing manager.

16 MR. ANDERSON: Sir, I'll ask if you're
17 going to make a comment to please speak into a
18 microphone.

19 MR. MILLER: John Miller, International
20 Isotopes. We had our first facility operating up in
21 Idaho Falls, was initially licensed in September of
22 2001 or 2000, the second facility which is a smaller
23 scale fluorine extraction facility was licensed in
24 October of 2005, and for both of those facilities
25 during that time frame we have not had any violations

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1 cited during any NRC inspection. We've also been
2 inspected by the Department of Transportation, as well
3 as OSHA, and we haven't had any citations.

4 MR. ANDERSON: And Matt, if anyone wanted
5 to look at previous inspection reports or information
6 for this applicant, is that information available on
7 the NRC website?

8 MR. BARTLETT: I believe the inspection
9 reports are public, so yes.

10 MR. ANDERSON: Are there any other
11 questions?

12 (No response.)

13 MR. ANDERSON: I do not see any other
14 hands for questions, so I think it's best to move into
15 the last and most important part of the meeting, and
16 that's the comment period tonight.

17 Just as a quick reminder, ground rules
18 that we talked about at the beginning of the meeting,
19 I know some people came in late, but when providing
20 comments, if you haven't already done so, please
21 register with a yellow card. That's my cue to call on
22 you and that will allow for the sequencing of people
23 that want to make comments. I'll ask that everybody
24 please keep your remarks brief, be concise and try and
25 say what you need to say in five minutes or less.

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1 It's extremely important that you speak
2 into a microphone so I'll ask that anybody providing
3 comments please step to the aisle when I call you and
4 use the microphone in the middle of the aisle. If you
5 would prefer for me to bring a microphone to you, I'm
6 happy to do that, let me know when I call your name.

7 We'll continue to have only one person
8 speaking at a time, and it looks like everybody is
9 going to continue to be courteous and respectful here,
10 so I appreciate your help in that.

11 So having said that, the first person to
12 provide comments will be Farok Sharif. And I
13 apologize in advance to everybody when I mispronounce
14 your name; it's a bad habit that I have. I'll do the
15 best that I can.

16 MR. SHARIF: That was very close. Thank
17 you.

18 Good evening. My name is Farok Sharif. I
19 am the president and general manager of the URS
20 Washington Resolutions. We are the management and
21 operating contractor for the U.S. Department of
22 Energy's Waste Isolation Pilot Plan, or WIPP, near
23 Hobbs, New Mexico. I'm giving testimony tonight as a
24 New Mexico resident and I'm not representing the WIPP
25 project.

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1 Thank you for allowing me a few minutes to
2 comment on the proposed draft EIS for the proposed
3 fluorine product facility in Lea County, New Mexico.
4 Having reviewed the draft EIS materials provided by
5 the NRC, I am in full support of the International
6 Isotopes fluorine facility. I agree with the
7 conclusions reached by the NRC staff that impacts to
8 the environment would be minimal.

9 At WIPP we have a commitment to our
10 nation's future, so I want to applaud International
11 Isotopes plan to build and operate this facility in an
12 environmentally friendly manner, and International
13 Isotopes has a proven track record for operating in a
14 safe, compliant manner, and I am confident this
15 company will take every step needed to ensure
16 potential environmental impacts are kept to a minimum.

17 The International Isotopes facility will
18 fulfill an important role in the safe and
19 environmentally sound treatment of depleted uranium
20 hexafluoride. This facility will produce important
21 fluorine products that benefit our country. This
22 facility will also have a positive impact on Lea
23 County by providing safe, quality jobs and economic
24 diversification for the region.

25 The nuclear industry continues to be an

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1 extremely conscientious neighbor in Lea County and
2 Eddy County, and I have complete confidence in
3 International Isotopes ability to build and manage
4 this facility in a manner that is protective of human
5 health and the environment.

6 Thank you again for your time.

7 MR. ANDERSON: Thank you, sir, for those
8 comments.

9 The next speaker will be Gary Don Reagan.

10 MR. REAGAN: Thank you very much for this
11 opportunity to speak. I always believe that when a
12 person speaks they should give you a little bit of
13 background about who they are, where they've been,
14 where they're hoping to go, and I'd like to do that
15 very briefly. Five minutes is not a problem, Mr.
16 Patterson, I assure you.

17 My family moved to Hobbs, New Mexico from
18 Tucumcari, New Mexico in 1949. I was in the second
19 grade. I graduated from Hobbs High School in 1959; my
20 wife also graduated in that same class. I went off to
21 California for six years to undergrad school, law
22 school; my wife went off to SMU in Dallas for college.
23 We ended up getting back together and getting married
24 in 1964 in Hobbs, New Mexico.

25 I practiced law in Albuquerque for three

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1 years because my father-in-law was the district judge
2 and I didn't want him knowing, in fact, that I didn't
3 know how to find the courthouse so I went to
4 Albuquerque. After three years we had a child by then
5 and decided to come back to Hobbs to raise our family.
6 We've had four children go through the Hobbs schools,
7 graduates of Hobbs High School, all four actually have
8 degrees and are gainfully employed, should they choose
9 to be employed, that works from time to time
10 sometimes.

11 And what I'm saying here is that from a
12 family perspective, if I did not believe that this
13 facility as has been described to us and is to be
14 regulated by the Nuclear Regulatory Commission and all
15 the other agencies that have a finger in the pie, I
16 would not support it because I think family values are
17 very important, quality of life is very important, but
18 I do support it and I support it because of what I've
19 learned. I have people in my office talking about
20 this, and I also happen to be the mayor, by the way,
21 for what that's worth, and I can answer some of those
22 questions that have been asked tonight but I'm not
23 going to do that because I'm not here as a
24 professional witness, but I think I know the answer to
25 some of the questions, they're very good questions.

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1 This is the oilfield, this is ranch land.
2 Every day we have trucks driving up and down the
3 highways carrying wastes that if spilled would be a
4 real calamity, but we know how to handle that. The
5 True Solutions Group from Carlsbad is in charge of
6 moving all sorts of waste products into the WIPP area.
7 That's really an industrial thing that is really not
8 unique and certainly not going to be new to the oil
9 patch and to the people in this area.

10 This facility will be sited in the middle
11 of one square mile. Six hundred and forty acres is a
12 tremendous amount of ground for those of you who don't
13 live out in the ranching lands. The facility was
14 intentionally to be sited, as I understand it, in the
15 center because that gives you basically a half-mile
16 buffer in all four directions.

17 The road that goes to this site is a US
18 highway, four lanes, divided. You couldn't have a
19 safer highway anywhere, that I know of. There is a
20 rail facility not too awfully far away, and I don't
21 know how that fits in, really, but trucking will be
22 the primary mode of moving things. So it strikes me
23 that this is basically another industrial application
24 of things that provide jobs to this area, basically
25 that if done carefully and safely are simply an asset

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1 to the community. So I do support that.

2 With that background, let me read you a
3 letter that I sent to Cindy -- and I go with you on
4 pronouncing names -- Cindy Bladely, who is with the
5 U.S. Nuclear Regulatory Commission in Washington, D.C.
6 I wrote this letter on January 19 of this year, and I
7 said:

8 "Dear Ms. Bladely, The purpose of this
9 letter is to provide you with my comments on the
10 proposed International Isotopes fluorine products
11 facility in Lea County, New Mexico. I support this
12 project and believe that it will be a positive
13 contribution to Lea County and will fulfill an
14 important role in the safe and environmentally sound
15 treatment of depleted uranium hexafluoride. I also
16 believe the facility will produce important fluoride
17 products for U.S. markets and be an asset to U.S.
18 chemical manufacturing capability. I also believe
19 that the draft environmental impact statement
20 thoroughly reviews all of the potential environmental
21 impacts from the proposed facility, and I agree with
22 the conclusions reached by the NRC staff that these
23 impacts would be minimal."

24 Thank you for allowing me to speak.

25 MR. ANDERSON: Thank you, sir, for those

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1 comments.

2 The next speaker is Lisa Hardison.

3 MS. HARDISON: Thank you, and I'd like to
4 welcome the NRC staff to our community again. It's
5 always a pleasure to have you here. I'm Lisa
6 Hardison. I'm the president of the Economic
7 Development Corporation of Lea County.

8 International Isotopes has provided
9 comprehensive information to our organization, county
10 leaders and area residents about their planned
11 project, and in turn, representatives from the EDCLC
12 and community leaders have visited their current
13 operations in Idaho. We have found International
14 Isotopes to be forthcoming with their project plans
15 and their leadership to conduct business with
16 integrity. This business will complement Lea County's
17 uranium enrichment processing plant by providing safe
18 and environmentally sound treatment of depleted
19 uranium hexafluoride and will ultimately produce
20 important products for our nation.

21 The draft environmental impact statement
22 thoroughly reviews all the potential environmental
23 impacts of the proposed facility and the EDC of Lea
24 County agrees with the conclusions reached by the NRC
25 staff. It is through the due diligence process of our

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1 organization and that of the NRC that the Economic
2 Development Corporation of Lea County has been assured
3 that the International Isotopes facility will have a
4 positive impact on the economy of Lea County with
5 little environmental concern.

6 We hope you will take our comments into
7 consideration, and without hesitation, the EDC of Lea
8 County supports the construction and licensure of the
9 International Isotopes facility in Lea County.

10
11 Also, I have additional letters from
12 people that could not attend tonight but wanted to
13 show their support of the project. I have letters
14 from Senator Leavell, Senator Kernan, several local
15 business owners and community representatives who
16 support and feel the International Isotopes project
17 will be a great economic impact with little impact on
18 the environment, so I'll leave those with you as well.

19 Thank you.

20 MR. ANDERSON: Thank you for those
21 comments.

22 The next speaker is Sam Spencer.

23 MR. SPENCER: Welcome to Lea County. My
24 name is Sam Spencer. I'm the president of Lea County
25 State Bank, and I speak tonight not only in my

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1 position at the bank but personally. I concur with
2 the other speakers. I believe that the economic
3 impact to this area will far outweigh any small
4 environmental impact and I concur with your analysis.

5 Thank you.

6 MR. ANDERSON: Thank you, sir, for those
7 comments.

8 The next speaker is Robert Hayes.

9 MR. HAYES: Hi. I'm Rob Hayes. Seems
10 like we're all singing the same song here.

11 I think this is a fantastic thing that
12 will really benefit our community. I really want this
13 here.

14 I have some caveats. If there does come
15 up anything that would put a stop to this or slow it
16 down -- I'm an engineer -- I would personally
17 encourage you and all concerned, as an engineer there
18 is a way around that, if there is anything that comes
19 up. I don't know what it might be, I'm not going to
20 even try to guess what it is, but I believe whatever
21 that might be, if it comes up, can be addressed. We
22 can design and we can operate safely as long as it's
23 done correctly.

24 And so just that's just the caveat: if
25 there does come up something, please consider any kind

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1 of design changes that the vendor, International
2 Isotopes, comes up with so that we can go forward. I
3 echo what has been said before: as a resident, I
4 strongly encourage the location of this plant here, we
5 really want the jobs, it will be fantastic.

6 I do have something that just kind of bugs
7 me, a technical issue, and that's that for uranium
8 it's a heavy metal and as a heavy metal it's toxic,
9 chemically toxic, just like lead or mercury, and as
10 lead and mercury are toxic, you don't want to eat
11 lead, you can get lead poisoning. Until you've
12 enriched uranium to about 20 percent, the
13 radiotoxicity does not outweigh the chemical toxicity,
14 and so it's really the chemical toxicity that
15 dominates any kind of hazard here.

16 And I'm familiar with the NRC and I know
17 that you're educated and expert in your fields, but I
18 just kind of thought that was interesting, that it's
19 the NRC that's doing it, that's the way it is, but
20 that's just my little quirky perspective on things
21 there.

22 That's all I have to say. Thank you.

23 MR. ANDERSON: Thank you for those
24 comments.

25 The next speaker is Mike Gallagher.

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1 MR. GALLAGHER: Good evening. Thanks for
2 being here in Lea County, we really appreciate it.

3 My name is Mike Gallagher. I'm the county
4 manager for Lea County, and I'm here tonight to
5 represent the Lea County Board of Commissioners.

6 The Lea County Board of Commissioners
7 highly support this project. I concur with the first
8 three speakers about the environmental impact
9 statement acknowledging there's minimal impact to the
10 area. But more importantly I want to read that in
11 August 2011 the Board of Commissioners approved the
12 issuance of Lea County taxable industrial revenue
13 bonds for this facility in the amount of \$72 million,
14 as well as on January 24 of this year the Lea County
15 Commission passed a resolution acknowledging the
16 thorough review of the environmental impact statement
17 and recognized and acknowledged the minimal impacts
18 that this facility will have.

19 Thank you.

20 MR. ANDERSON: Thank you, sir, for those
21 comments.

22 Was there anybody that filled out a yellow
23 card whose name I have not called?

24 (No response.)

25 MR. ANDERSON: Is there anybody else that

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1 wants to provide comments to the NRC?

2 (No response.)

3 MR. ANDERSON: I don't see any hands. So
4 with that, on behalf of the Nuclear Regulatory
5 Commission, I want to thank all of you for taking time
6 out of your schedule to be here tonight. Thank you
7 for listening to the NRC staff, thank you for your
8 questions, and most importantly, thank you for your
9 comments.

10 One more reminder for feedback forms on
11 the table out front. Please feel free to share your
12 thoughts and opinions with us. We certainly would
13 want to do everything we can to improve public
14 meetings like this one.

15 Thanks again for your time. Please travel
16 home safely and have a great night. This meeting is
17 adjourned.

18 (Whereupon, at 6:40 p.m., the meeting was
19 concluded.)

20

21

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