

From: Earl James <ejames@nrelc.org>
To: <LES_EIS@nrc.gov>
Date: 3/17/04 1:51PM
Subject: Docket Number 70-3103

March 17, 2004

By email to LES_EIS@nrc.gov

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).

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.

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 (¹Plutonium from Sellafield in all Children's Teeth,² 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 ¹LES admits lies told - Former leaders made untrue statements.² The Tennessean, the state's newspaper of record, on Wednesday, March 19, 2003, wrote, ¹LES alters position on air and water releases.² The article begins, ³At 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

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River and into the air if the plant is built, officials now say.²

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.

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

I am also very 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, ³Roots of Pakistan Atomic Scandal Traced to Europe,² February 19, 2004; and Time magazine, ³A Radioactive Project Hits Snag with Bush Administration,² 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 four years. I thank you for your thorough review of my concerns.

Sincerely,

Earl James
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Santa Fe, NM 87505