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To: <LES\_EIS@nrc.gov>  
Date: 3/13/04 9:45PM  
Subject: In response to Federal Register: February 4, 2004 (Volume 69, Number 23)

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Rules and Directives Branch

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RE: Docket No. 70-3103

ATTN.: Melanie Wong.

In response to Federal Register: 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,

I am concerned about the impact to the ground water, specifically 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 from similar facilities in KY and OH have shown us 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 NM and TX residents. To support this, I would refer the commission to a recent article in the UK Observer (Plutonium from Sellafield in all Children's Teeth, Nov. 30, 2003) which details scientific findings showing that proximity to the Sellafield nuclear fuel facility (which is operated by one of the partners in 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 (TN) Democrat on Monday, August 11, 2003, entitled "LES admits lies told.-Former leaders made untrue statements." The Tennessean, the state's newspaper of record, on Wednesday, March 19, 2003, wrote "LES alters position on air and water releases". The article starts, "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."

In this region, where water is scarce and even sacred, we can not afford to put our 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 won't contaminate the Ogallala Aquifer. The stakes are too high.

I am also deeply worried about the reputation this company (Urenco aka LES) has with regard to national security. Recently, very credible publications such as the New York Times ("Roots of Pakistan Atomic Scandal Traced to Europe", February 19, 2004) and Time magazine (A Radioactive Project Hits Snag with Bush Administration, March 1, 2004) have implicated Urenco in serious lapses of security resulting in the leaking of sensitive nuclear technology to such rogue nations as Libya, Pakistan, Iraq, Iran and North Korea. Given the times, it seems to me that the risk of allowing a company with this security record to operate on U.S. soil is unreasonably high. I would request that you consider the potential for damage to the environment and human safety should this company suffer another lapse of security lead to an act of terrorism at this facility

I question the ability of Urenco to operate this facility and dispose of the waste it will generate given the financial instability of one of its key partners, British Nuclear Fuels Limited ("British energy begs for more government money", Reuters UK, Nov. 27, 2003). BNFL has created enormous environmental liabilities, the cleanup of which is now being borne by the British taxpayer. They seem to be sinking deeper into debt with no clear path out of it. Further, there is wide speculation as to whether there is even a market/enough demand for a second uranium enrichment plant. No new nuclear reactors have been built in this country in the last 25 years, and none are scheduled to be built. So what happens if there are no customers for this plant? Who carries the burden when they run out of money? If finances are tight, where are they going to

E-LEADS = ADU-03

Call = T. Johnson (TOS)  
M. Wong (new)

template = ADU-013

cut costs? Security? Workforce? Environmental and human safeguards? Please take into consideration the potential environmental consequences of BNFL or any other partner in this venture failing to meet its financial obligations and preventing LES from properly operating this facility and/or properly disposing of all the waste to be generated over the life of this facility.

I am concerned about the availability of water to supply this plant while still meeting current demands. 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 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, we must have some firm assurance that they will not exceed 25 MM gallons of water annually, such as the imposition of heavy fines for exceeding their limit. Water is too precious to this area.Please include a thorough examination of water supply issues for SE New Mexico and West Texas in your review of this application

I would like to have you include a thorough examination of the potential impact to human health of radioactive dust storms should this facility be built. As we all know, SE New Mexico is famous for its frequent and sometimes violent dust storms which can spread dust particles for miles. As we have seen in other areas where nuclear facilities operate, soil contamination is not uncommon (see "Judge considers contamination suit against Paducah, KY Nuclear Fuel Plant", Paducah Sun, December 23, 2003). What is the human health implication of dust storms exposing Lea County (NM) and Andrews County (TX) residents with radioactive dust particles for a period of up to 50 years, considering the plant will operate for 30 years and that soil contamination could remain for a period of time after the closure. I have heard that one proposal is to allow the contaminated water to sit in an above ground "evaporative pond". 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 environmental assessment.

I strongly question the wisdom of 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 British energy begs for more government money, Reuters UK, Nov. 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 cut corners on operations and/or waste disposal.

I request the commission closely review 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 their certain need of highly technical skills that do not exist to any significant degree in Lea County --i.e. 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 an uranium enrichment facility. To support this concern, one need not look farther than Paducah, KY, the home of a similar facility which is now seeing land values plummet as a result of nuclear contamination (see "Judge considers contamination suit against Paducah, KY Nuclear Fuel Plant", Paducah Sun, December 23, 2003).

I am concerned about the environmental and national security track records of the principal corporate backers of the proposed NEF, 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 secrets to Libya, Pakistan, Iraq, Iran and North Korea (New York Times, Roots of Pakistan Atomic Scandal Traced to Europe, February 19, 2004; and Time magazine, A Radioactive Project Hits Snag with Bush Administration, March 1, 2004). BNFL, parent company of Westinghouse which is another player in this project, ran the disastrous Sellafield nuclear facility in the UK. Sellafield was shut down for numerous environmental and safety violations. The former CEO 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 before this application is approved, the NRC 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 have full review of this application, including but not limited to the Department of Homeland Security, Department of State, Department of Defense, Department of Justice, FBI, and the CIA as well as relevant Congressional committees such as the Select Committees on Intelligence.

Please consider these aspects in your review of this application.

I am a resident of Lea county and have lived in this area for 25 years. On behalf of myself and my family, I thank you for a thorough review of my concerns.

Sincerely,

Lee Cheney

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