

2/4/04

69 FR 5374

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From: Penny McMullen <pmsl@osogrande.com>  
To: <LES\_EIS@nrc.gov>  
Date: 3/22/04 2:16PM  
Subject: LES EIS comments

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), the Loretto Community (Sisters and Comembers) in NM request that the Nuclear Regulatory Commission include the following items within the scope of the Environmental Impact Statement (EIS).

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

We are 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 Ohio and Kentucky (our Motherhouse is in KY) have shown that storage of this type of material can and does leak, and can cause great safety, environmental and human health damage.

We are concerned about the potential impact of air emissions from this facility on the health and safety of New Mexico and Texas residents. A recent article in the UK Observer ("Plutonium from Sellafield in all Children's Teeth," November 30, 2003) 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.

LES has admitted to lying about the proposed plants air and water emissions. See "LES admits lies told - Former leaders made untrue statements" published in the Lebanon (Tennessee) Democrat on Monday, August 11, 2003. The Tennessean, the states newspaper of record, on Wednesday, March 19, 2003, wrote, "LES alters position on air and water releases." The article begins, "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

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M. Wong (mew)

would be released to the Cumberland River and into the air if the plant is built, officials now say."

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

2) Please include a thorough examination of water supply issues for southeastern New Mexico and west Texas in preparing the EIS. 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. There should be a provision to shut down the plant the limit is exceeded.

3) Please 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. As we have seen in other areas where nuclear facilities operate, soil contamination is not uncommon (examples include the KY Nuclear Fuel Plant in Paducah KY and Rocky Flats near Denver CO). 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? The areas around both Paducah and Rocky Flats experienced the devaluation of property values because of radioactive contamination. The Loretto Community was very much involved in the protests to close Rocky Flats, especially after childhood leukemia increased dramatically in the area downwind.

4) Please consider the risk to National Security. The parent company of LES, Urenco, has been charged with leaking of sensitive nuclear technology to rogue nations thus contributing to nuclear weapons proliferation internationally. The risk of allowing a company with this security record to operate on U.S. soil is unreasonably high, and could result in an act of terrorism at this facility.

5) Please consider the track record of LES, Urenco and British Nuclear Fuels Ltd. LES's lies are mentioned above. 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. 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, we 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 have been a resident of New Mexico for 16 years. The Sisters of Loretto have been serving the people of NM for 151 years, 60 years before the Territory became a State. We have been very involved in nuclear safety issues, and gave a grant to citizens organizing to stop the LES project in NM because of the serious safety issues surrounding this project.

Thank you for your thorough review of our concerns.

Sincerely,  
Penelope McMullen, SL  
Regional Peace and Justice Coordinator  
324 Sanchez St.  
Santa Fe, NM 87505

**From:** LES\_EIS  
**To:** Doris Mendiola  
**Date:** 3/23/04 7:25AM  
**Subject:** Comment: LES EIS comments

Morning Doris-

Still trickling in...

Melanie