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T. Johnson (TCJ)

QUESTION FOR GOV. RICHARDSON

If the NRC refuses to allow the State of New Mexico to participate in the LES hearing on the important subjects of national security, terrorism, LES financial qualifications, and waste disposal, will Gov. Richardson withdraw his support for LES and refuse to issue all state permits?

◆See other side to learn about TOXIC WASTE from
uranium-enrichment plants→ → → →

State May Be Stuck With Nuke Waste
By John Fleck
Journal Staff Writer

When an international consortium said last year it wanted to build a nuclear fuel factory in southeastern New Mexico, Gov. Bill Richardson drew a line in the sand.

Richardson said he would only support the factory with an ironclad guarantee that New Mexico would not get stuck with the plant's waste.

But thanks to what the Nuclear Regulatory Commission characterizes as botched legal filings by staff attorneys in the New Mexico Attorney General's office and Richardson's Environment Department, the state may be left with no say in the matter.

Louisiana Energy Services wants to build a uranium enrichment plant on land outside Eunice, along the New Mexico/Texas border. The plant would process uranium for use as nuclear power plant fuel.

The NRC is in the midst of a two-year evaluation of the plant's safety and environmental impacts, necessary before LES can be granted a license.

In a pair of rulings in July and August, NRC regulators said attorneys for the state did not demonstrate that their concerns about the waste issue met legal requirements for consideration in the licensing process.

The only exception was the Attorney General's contention that the company's license application may understate waste disposal costs.

Meanwhile activists opposed to the project, represented by veteran Santa Fe nuclear waste attorney Lindsay Lovejoy, won the right to have their questions about the waste issue heard.

The \$1.2 billion plant would employ hundreds in the Hobbs/Eunice area and has generally won support from local and state political leaders. But Richardson's support has not been unqualified because of questions about the plant's waste.

Over its life, the plant would generate an estimated 15,700 steel cylinders, each 4 feet in diameter and 8 feet long. Each cylinder would hold more than 12 tons of toxic uranium hexafluoride.

Getting rid of the waste is problematic. It requires treatment to remove the corrosive and toxic fluorine, then it must be sent to a dump legally permitted to take radioactive waste. In its license application, LES mentions several possible ways of getting rid of the waste but acknowledges that it has no plan in hand.

That led both the Environment Department and Attorney General Patricia Madrid to raise the issue in the licensing process. They claimed LES had not yet demonstrated a "plausible strategy" for dealing with its waste.

"Storage of such highly dangerous waste over a 30-year period may pose a threat to the protection of health and property," the Environment Department said in its legal brief filed with the NRC.

But by not being specific enough in their critique of the LES's waste plans, the Environment Department and Attorney General's office failed to meet the NRC's strict requirements for participation, the NRC ruled.

Both the Environment Department and Madrid's office blamed their problems on a lack of familiarity with NRC's unusual procedures. Madrid's attorneys also claimed a "budget crisis" prevented them from hiring experts to help with the filing.

Chris Coppin, one of the attorneys for Madrid's office in the case, disputed the NRC's conclusion that the filing was inadequate. "We don't agree that we didn't comply with their requirements," Coppin said in an interview.

Both have appealed, asking to have their claims in the case reinstated.

State officials assumed that they would be granted a seat at the table, Environment Secretary Ron Curry said in an interview.

"I felt that because we were acting on behalf of the state and on behalf of the governor that our being admitted was, if not automatic, close to it," Curry said. Madrid's office made a similar assumption, according to a brief filed with the NRC.

Richardson complained about the NRC's decision to exclude most of the state's concerns, saying in a letter to the NRC that the decision deprives the state of a say in the issue.

"Such a decision, particularly on procedural grounds, is regrettable," he wrote.

**LEA COUNTIANS: CONSIDER WHAT HAPPENED IN KENTUCKY
BEFORE DECIDING ON LES PLANT HERE**

HERE'S WHAT HAPPENED WHEN LES-TYPE WASTE WAS STORED IN KY

- 1. CANCER, REPRODUCTIVE/IMMUNOLOGICAL DISORDERS, DAMAGE TO GROWTH GLANDS AND LIVER – DIOXIN.** One of the most deadly carcinogens, dioxin has leaked from the plant in Padukah. The dioxin had contaminated enough soil at four plant sites by 1990 that the state required the soil to be excavated and put in drums. The dirt contained as much as 4.5 times the dioxin that the state allowed.
- 2. DEATH, CANCER – PLUTONIUM/NEPTUNIUM.** Often referred to as the world's deadliest poison, plutonium was detected in soil (8 miles and 9.3 miles from the plant), apples, trees, vegetable gardens, and crops grown nearby. The 11.6 ounces of plutonium known to have passed through the Paducah plant was enough to kill more than 4.1 million people – more than all the men, women, and children in Kentucky – if they each had inhaled just one speck.
- 3. DEAD FISH, CANCER – LEAD.** Fish studied for at least 12 years show toxic fish. Streams near the plant contain 50 to 100 times as much lead as they did before the plant.
- 4. DEAD ANIMALS, CANCER – POLYCHLORINATED BIPHENYLS (PCBs).** Cause cancer and other diseases have been found at significant levels in fish, hawks, mice, rats, mink, raccoons, and a bobcat.
- 5. CANCER – TRI-CHLOROETHYLENE and TECHNETIUM.** Tri-chloroethylene, a suspected carcinogen, and Technetium, a radioactive chemical, have been spreading northward from the plant and at least one is believed to have reached the river. Traces of contaminants have penetrated as far as 14 stories below ground.
- 6. CANCER – CONTAMINATED GASES.** Contaminated gases have been released for decades, though the Department of Energy does not know the magnitude of these releases.
- 7. OTHER TOXINS INCLUDE CESIUM, BERYLLIUM, CADMIUM, URANIUM, COPPER, NICKEL, SILVER, ZINC, VANADIUM, STRONTIUM, TECHNETIUM, PLUTONIUM**

**PROTECT YOURSELF, YOUR FAMILY, AND YOUR
COMMUNITY! DEMAND THAT LES ADDRESS THE WASTE-
DISPOSAL ISSUE BEFORE BUILDING ITS TOXIC PLANT!**

INFORMATION BELOW TAKEN FROM:

Toxins Altering Life in Fragile Ecosystem: Official Reassurances Breed Skepticism
James Carroll and James Malone, The Courier-Journal (Louisville, KY)

To learn more, go to:

http://www.courier-journal.com/cjextra/uranium/legacyd2_env.html OR visit the Citizens
Nuclear Information Center at www.cnic.ws