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Lone Star Chapter

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January 7, 2005

Chief, Rules & Directives Branch
U.S. Nuclear Regulatory Commission
Mail Stop T6-D59
Washington, D.C. 20555-0001

Re: Comments on the Draft Environmental Impact Statement for the Proposed Uranium Enrichment Facility in Lea County, New Mexico (NUREG-1790); Docket No. 70-3103

To Whom It May Concern:

It is the contention of the Lone Star Chapter of the Sierra Club that the NRC's Draft EIS does not adequately address the potential problems with the proposed uranium enrichment plant. There are several areas where the NRC's determination that the environmental impacts of the facility would be small to moderate seems unwarranted. In addition, the opinion in the Draft EIS that there is a need for this facility because of an "expected ... increase in demand for low-enriched uranium" is not supported by the facts. Considering the enormous problems this country is already facing regarding disposal of the wastes generated by nuclear power, as well as the potential security threats associated with this industry, it is incumbent upon the NRC to exercise extreme caution in its considerations of this proposal.

Regarding the classification of the waste that will be produced by this facility, it is disturbing that the NRC is essentially declaring this waste will be Class A low-level radioactive waste (LLRW) without the absolutely necessary analysis and deliberation. As you are aware, there is currently a license application with the Texas Commission for Environmental Quality for a LLRW disposal facility in far west Texas. The rules for the operation of that facility were written to provide for the wastes currently classified as low-level and do not in any way account for the disposal of depleted uranium. As the Sierra Club opposes the creation of a private LLRW dump in Texas because of the health, safety, and environmental threats it poses, we certainly would not concur with a specious assignment of a "low-level" label to the DUF6 waste.

The issue of groundwater contamination by this facility is of extreme concern to us. The NRC's disregard of the potential for groundwater contamination as a result of seismic activity, in addition to its apparent assumption that the liners employed to impound the contents of the facility's wastewater basins will retain their integrity for the duration of the facility's operation,

SESP Review Complete

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A. Johnson (TC5)

clearly indicate the inadequacy of the Draft EIS. Indeed, it is unclear what the justification for choosing this site as appropriate for a uranium enrichment facility is, as other sites were rejected due to earthquake risks on par with Lea County's. The Draft EIS must include a *regional* analysis of threats to groundwater – water flows do not stop at state lines.

Water is a critical resource, particularly in this very dry part of the country. Both Texas and New Mexico have water plans that assess the current and future uses of this life-sustaining element. In this area (eastern New Mexico and west Texas), reliance on groundwater sources is already creating the potential, even likelihood, of shortages in the near future. Any water required by this new industry will only compound this problem.

These are only some of the issues regarding which we maintain that the Draft EIS is incomplete or mistaken in its conclusions. The Lone Star Chapter of the Sierra Club requests that the NRC's staff recommendation for approval of the license for the uranium enrichment facility be withdrawn and the EIS be revised and expanded to address these and other valid concerns.

Sincerely,



Margot Clarke
Outreach Coordinator
Sierra Club, Lone Star Chapter
