

**Official Transcript of Proceedings**  
**NUCLEAR REGULATORY COMMISSION**

Title: Louisiana Energy Services  
Limited Appearances Hearing

Docket Number: 70-3103-ML; ASLBP No.: 04-826-01-ML

Location: Hobbs, New Mexico

Date: Sunday, March 5, 2006

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USNRC

March 21, 2006 (11:15am)

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD

(ASLB)

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LIMITED APPEARANCES HEARING

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In the Matter of:

LOUISIANA ENERGY SERVICES, L.P.      Docket Nos.  
70-3103-ML  
(National Enrichment Facility)      ASLBP No.  
04-826-01-ML

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Sunday  
March 5, 2006

New Mexico Junior College  
Hobbs, New Mexico

The above-entitled matter came on for  
hearing, pursuant to notice, at 3:00 p.m.

BEFORE:

G. PAUL BOLLWERK, III      Chair  
PAUL B. ABRAMSON      Administrative Law Judge  
CHARLES N. KELBER      Administrative Law Judge

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## 1 APPEARANCES:

2 On Behalf of Louisiana Energy Services:

3 JAMES R. CURTISS, ESQ.

4 Of: Winston &amp; Strawn, LLP

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6 Washington, D.C. 20005-23502

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8

9 On Behalf of the Nuclear Regulatory10 Commission:

11 LISA CLARK, ESQ.

12 MARGARET BUPP, ESQ.

13 Of: Office of the General Counsel

14 Mail Stop O-15 D21

15 U.S. Nuclear Regulatory Commission

16 Washington, D.C. 20555-0001

17 (301) 415-8339 AFTER

18

19 Also Present:

20 BETHANY ENGEL

21 ROD KRICH LES

22

23

24

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P-R-O-C-E-E-D-I-N-G-S

3:00 p.m.

1  
2  
3 CHAIR BOLLWERK: We can go on the record,  
4 please. Good afternoon. I'd like to begin this  
5 afternoon by introducing ourselves. In accord with  
6 the provisions of the Atomic Energy Act and the  
7 regulations of the Nuclear Regulatory Commission, we  
8 are three administrative judges appointed to sit as an  
9 Atomic Safety and Licensing Board to conduct an  
10 adjudicatory proceeding in connection with the  
11 currently pending challenge of various intervening  
12 parties, including the Nuclear Information Resource  
13 Service to the December 2003 application of Louisiana  
14 Energy Service, LES, or a license under part 70 of  
15 title 10 of the code of Federal regulations, the CFR  
16 as we call it, for authorization to possess and use  
17 source byproduct and special nuclear material to  
18 enrich natural uranium to a maximum of five percent  
19 uranium-235, or U-235 as it's often referred to, by  
20 the gas centrifuge process, which LES proposes to do  
21 in a facility denominated as the National Enrichment  
22 Facility to be constructed near Eunice, New Mexico.

23 To my right is Dr. Charles Kelber. Judge  
24 Kelber, a physicist, is a part-time member of the  
25 Atomic Safety and Licensing Board Panel. To my left

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1 is Dr. Paul Abramson.

2 Judge Abramson is both a physicist and an  
3 attorney and a full-time member of the Licensing Board  
4 Panel. My name is Paul Bollwerk and I'm an attorney  
5 and I'm the Chairman of the Licensing Board.

6 As part of our function in connection with  
7 the LES enrichment facility proceeding we're here this  
8 afternoon to entertain oral limited appearance  
9 statements in accordance with section 2.315A of Title  
10 10 of the Code of Federal Regulations.

11 So there will be a common understanding  
12 about what's involved in the proceeding and with  
13 respect to the limited appearance statement process,  
14 I'd like to take a few minutes to provide some  
15 background about both.

16 In response to a notice of opportunity for  
17 a hearing published in the Federal Register in  
18 February of 2004, in accordance with 10 Code of  
19 Federal Regulations Section 2.309, various interveners  
20 requested a hearing to challenge the December 2003  
21 application of LES for permission to construct and  
22 operate the proposed NEF which is intended to produce  
23 commercial nuclear power plant fuel.

24 Thereafter, in March and April of 2004 the  
25 various interveners submitted proposed issues for

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1 hearing, and LES and the NRC Staff filed responses to  
2 those issue statements as well as the interveners  
3 arguments about why each had legal standing to be a  
4 party to this proceeding.

5           Thereafter, the five member Nuclear  
6 Regulatory Commission found that the various  
7 petitioners had legal standing to intervene in this  
8 proceeding.

9           Then in June 2004 this licensing board  
10 conducted an initial pre-hearing conference in Hobbs,  
11 New Mexico during which the various petitioners, LES,  
12 and the NRC Staff had an additional opportunity to  
13 make oral presentations regarding the admissibility of  
14 the proffered issue statements, or contentions as we  
15 call them in our practice.

16           Based on the filings of the petitioners,  
17 LES, and the Staff, and that oral argument in July of  
18 2004 in a ruling we concluded that each of the  
19 petitioners had provided an admissible contention so  
20 as to be admitted as a party to the so-called  
21 contested proceeding.

22           In this regard we admitted contentions  
23 concerning both the technical and environmental  
24 aspects of the application. Following this ruling on  
25 contentions under the Agency's rules of procedure in

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1 Part 2 of the Code of Federal Regulations, Title 10,  
2 subpart G that provide for a formal trial type hearing  
3 pursuant to a Board established schedule, the parties  
4 conducted discovery regarding the admitted  
5 contentions.

6 Thereafter, the Board conducted  
7 evidentiary hearing sessions here in Hobbs in February  
8 of 2005, and at the Commissions Headquarters in  
9 Rockville Maryland in October of 2005, and most  
10 recently in February of 2005, also in Rockville,  
11 regarding the various contentions.

12 Two Board determinations regarding those  
13 issues have been issued, one in June of 2005 and  
14 another just this past Friday, with an additional  
15 decision currently slated to be issued in late April  
16 or May of 2006.

17 Also, tomorrow morning the Board will  
18 conduct a so-called mandatory hearing in which the NRC  
19 Staff and LES will make presentations to the Board  
20 regarding matters that the Board has raised outside  
21 the confines of the issues that are being litigated in  
22 the contested proceeding.

23 An additional decision regarding the  
24 matters raised in the mandatory hearing currently is  
25 slated to be issued in June of 2006. This in a

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1 nutshell describes the NRC adjudicatory process  
2 relating to this proceeding.

3 And this naturally prompts the question  
4 what then are the limited appearances in which the  
5 Board has invited public participation. Under Section  
6 2.315A of the Commission's Rules of Practice the Board  
7 has a discretion to entertain from any person who is  
8 not a party a written or oral statement of his or her  
9 position on the issues in the proceeding.

10 This provision, which was first adopted as  
11 part of the Agency's hearing rules back in 1962,  
12 recognizes there is a need to provide an opportunity  
13 for input from members of the public who despite not  
14 having sought party status in a particular proceeding  
15 nonetheless have an interest in the subject matter of  
16 the proceeding.

17 As we indicated in the February 1<sup>st</sup>, 2006  
18 Federal Register Notice scheduling today's session  
19 here in Hobbs, oral limited appearance statements  
20 which will be transcribed and placed into the official  
21 Agency docket for this proceeding are intended as an  
22 opportunity for members of the public to express their  
23 view, and may help the Board and or the parties in  
24 their consideration of the issues in this proceeding.

25 Indeed as you can see, like the Board,

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1 several of the parties are here to listen to what is  
2 being said this afternoon. In this regard I'd like to  
3 take a second now to have the representatives of the  
4 parties identify themselves for the record.

5 Why don't we begin with LES and then if  
6 the NRC Staff could identify themselves as well?

7 MR. CURTISS: Yes, I'm Jim Curtiss,  
8 Counsel to LES, and here with Rod Krich of LES.

9 CHAIR BOLLWERK: All right. And the NRC  
10 Staff please?

11 MS. CLARK: For the NRC Staff, my name is  
12 Lisa Clark and I'm here with Margaret Bupp and Jerry  
13 Benano.

14 CHAIR BOLLWERK: All right. And we had  
15 also invited the intervener in this contested  
16 proceeding, Nuclear Information and Resource Service,  
17 a public citizen, and they had declined to appear this  
18 afternoon, but they were invited.

19 Thank you then. And in this regard, let  
20 me emphasize again that this is an opportunity to hear  
21 from interested members of the public. Consequently,  
22 the representatives of the admitted parties will not  
23 be making a statement here this afternoon.

24 Rather like the Board, they're here to  
25 listen. Before we begin with the limited appearances

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1 let me also mention, you may wonder by -- there's a  
2 number of individuals over here on the side, these are  
3 folks from the Licensing Board Panel Technical Staff  
4 who are here actually testing out some equipment for  
5 us.

6 One of the things that we did, we  
7 developed for the high-level waste proceeding, or the  
8 potential high-level waste proceeding, is a way to  
9 handle electronically the large volume of documents  
10 that we're planning on using in that proceeding.

11 And with the number of the new potential  
12 combined operating license cases as well, we're trying  
13 to use that technology as well in other hearings.  
14 With the high-level waste case we have fixed positions  
15 in Rockville and Launches Vegas that we can do those  
16 sorts of things.

17 But for many of our hearings like this one  
18 we cannot because they are in the field. We hold a  
19 number of our hearings in the field. So these folks  
20 are here today helping us to develop a prototype  
21 system that we can take anywhere, a portable system as  
22 it were.

23 So that's why they're here. They're  
24 actually testing some electronic equipment for us.  
25 And in that regard I would also like to express our

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1 sincere thanks, very sincere thanks, to the New Mexico  
2 Junior College Staff who have done a terrific job for  
3 us in setting this up.

4 Stacy Barchu, who is the Events  
5 Coordinator, excuse me, Bill Morel who is a security -  
6 - in charge of security, and also Mike Rutledge who  
7 does continuing education and is their technical  
8 coordinator, we have been welcomed here and made very  
9 -- well it's just worked out terrifically for us in  
10 terms of our ability to interact with the college.

11 And we do very much appreciate their  
12 efforts in setting this up for us today and tomorrow.  
13 So thank you very much to the New Mexico Junior  
14 College. All right, let's then begin with the limited  
15 appearance statements.

16 And let me just say a little bit about the  
17 procedure so that everyone is operating off the --  
18 understanding of the same set of rules. We've had a  
19 number of individuals who preregistered to speak today  
20 and we will try to afford them an opportunity to speak  
21 first at this session.

22 Among them are a number of State -- I'm  
23 sorry, Federal, State, or local legislators or their  
24 authorized representatives. It's been our practice in  
25 the past to call on these elected representatives or

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1 their spokespersons to speak first at these sessions.

2 We've generally found that there's a keen  
3 interest in their view, or the views that they express  
4 on behalf of the -- the views of the elected  
5 representatives or those speaking on their behalf in  
6 terms of their -- what they have to say about a  
7 particular licensing case or facility.

8 So we'll hear from the elected  
9 representatives first. After hearing from those  
10 elected representatives or their authorized  
11 spokespersons we'll move on to the other preregistered  
12 speakers.

13 In this regard I note that the Board  
14 previously conducted a limited -- two limited  
15 appearance sessions in February 2005 in Eunice. While  
16 we wish to afford those who previously addressed us in  
17 January of 2005 in Eunice an opportunity to speak  
18 again, we think as a general rule it's only fair that  
19 we hear first from those who have not addressed -- had  
20 an opportunity to address the Board before.

21 So once we've heard from those who have  
22 preregistered but have not previously addressed the  
23 Board, we'll then move on to anyone who registered  
24 here this afternoon and has not previously addressed  
25 and Board, and then those who preregistered but

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1 previously addressed the Board in Eunice, and then  
2 followed by anyone who registered this afternoon but  
3 previously addressed the Board in Eunice.

4 So we have pecking order. We'll keep  
5 track of it, you don't have to worry about it. But we  
6 do want to get everyone in. It's just that we felt  
7 that it's best for the Board to hear from those who  
8 we'd not heard from first.

9 That's the basic point. For anyone who  
10 did not preregister but wished to make a statement,  
11 on the table in the back, and Libby Pierce from our  
12 Administrative Staff is back there, there's a sheet to  
13 write your name and affiliation, if any.

14 We'll collect those sheets from time to  
15 time and call the speakers in order as they sign in.  
16 If you did not preregister, again if you did not  
17 preregister, you must sign in if you wish to speak.

18 If you did preregister you don't need to  
19 sign in, we already have your name. Additionally, if  
20 you want to provide your view to the Board but you  
21 don't want to make an oral statement, and that is an  
22 option, there are sheets on the table that you can  
23 complete and leave in the box, you can leave with Ms.  
24 Pierce back on the table.

25 Those written limited appearance

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1 statements will be reviewed by the Board members and  
2 placed in the Agency's official docket for this  
3 proceeding as well.

4 So again, if someone prefers that they'd  
5 like to -- prefers to leave a written statement rather  
6 than an oral statement you can certainly do that as  
7 well.

8 With regard to the oral statements we will  
9 try to keep a watch on the time each speaker is taking  
10 and advise you when you need to conclude your remarks.  
11 We indicated in the February 2006 Federal Register  
12 Notice and the scheduling information that was  
13 released to the press that we'd hope to be able to  
14 provide each speaker with up to five minutes to make  
15 a presentation.

16 For this session, however, it's apparent  
17 from the number of preregistrations and the size of  
18 the audience that we have here that the speakers will  
19 need to try to keep their presentations, if possible,  
20 to two minutes.

21 That's going to be important. We'd like  
22 to give everybody a chance to speak but we also would  
23 like to be out of here at some point this evening. So  
24 there's sort of a balance here.

25 We definitely want to hear from everyone,

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1 but I'm sure everyone would like to get home at some  
2 point this evening. So that's kind of what we're  
3 weighing.

4 I think you can agree with me that it's  
5 important that everyone here who wants to speak be  
6 given some opportunity to be heard, and so we ask for  
7 your cooperation in terms of the length of the  
8 presentations.

9 And certainly those of you who wish to add  
10 information or supplement your presentation in some  
11 way you can certainly do that with the sheets in the  
12 back.

13 Finally, as a matter of courtesy, it's  
14 important to allow the Board and the parties to hear  
15 fully the remarks of each speaker without intrusions.  
16 Accordingly I would ask that you respect each  
17 individuals right to address the Board by not unduly  
18 interrupting with verbal comments or other sounds  
19 either supporting or opposing the viewpoint being  
20 espoused.

21 And finally, I would ask, as a matter of  
22 courtesy as well, that all cell phones be turned off.  
23 And that would be the rule throughout this proceeding.  
24 If you could turn your cell phone off we'd appreciate  
25 it.

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1           With that explanation, let's begin with  
2           our first speaker. And in that regard to ensure that  
3           things move along smoothly, we're going to announce  
4           several names and would ask that the individual  
5           speakers who are on deck, so to speak, perhaps move  
6           closer to the microphone if they can, there are some  
7           empty seats over here in the front, or come up some  
8           way to the -- in the vicinity of the microphone so  
9           that they can begin their remarks promptly after the  
10          preceding speaker is finished.

11           All right. The first speaker we have this  
12          afternoon is Mr. Clint Williamson, a representative  
13          from Senator Domenici's office. Sir, you can come to  
14          the podium.

15           We also have -- we can -- we have a  
16          microphone in the back if someone would prefer to  
17          speak from the back as well.

18           MR. WILLIAMSON: Good afternoon. My name  
19          is Clint Williamson. I work for Senator Pete  
20          Diminichi. The Senator can't be here today but he  
21          asked me to come and submit this statement to the  
22          Board today.

23           Hello, first I would like to thank the  
24          communities of Hobbs, Eunice, and all of Lea County  
25          for their continued devotion to this important

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1 project. Your support for the National Enrichment  
2 Facility is about to make history in our country.

3 Late in the 1990s I spoke about what I saw  
4 as a rebirth of nuclear power in the United States.  
5 I have been talking since then about the coming of a  
6 nuclear renaissance in commercial nuclear energy in  
7 America.

8 I am delighted and proud that an important  
9 aspect of this great rebirth will be in my home in New  
10 Mexico. I wish I was able to be here today at this  
11 historic moment for New Mexico but I'm stuck in  
12 Washington during one of the busiest congressional  
13 months of the year.

14 Second, I would like to commend the  
15 Nuclear Regulatory Commission for conducting these  
16 final two days of hearings on the National Enrichment  
17 Facility. I have appreciated your professionalism  
18 throughout this process.

19 I had an opportunity last December to  
20 travel to Europe where the NEF's sister facility is  
21 located. I was impressed by the safety, design, and  
22 construction of the facility.

23 The technology developed by Urenco has  
24 been in use for over 30 years and has a great  
25 reliability record. I look forward to seeing the New

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1 Mexico NEF a reality.

2 The NEF will use the world's most  
3 advanced, energy efficient, and cost-effective uranium  
4 technology. The NEF will be both safe and  
5 environmentally sound.

6 I remember when I was at the sister plant  
7 in Europe I went right up to both the centrifuges and  
8 the depleted uranium tanks. I felt both safe both  
9 safe and a sense of wonder.

10 The NEF will provide a sustainable  
11 domestic supply of fuel for our nation's nuclear power  
12 plants, and contribute to weaning us off foreign  
13 energy supplies and encouraging competition within the  
14 U.S. market.

15 I look forward to the approval of the  
16 license application for the operation and construction  
17 of the NEF early this summer with construction  
18 beginning soon thereafter.

19 Thank you again for your support and  
20 interest in this significant project. I look forward  
21 to working with everyone toward the fruition of the  
22 National Enrichment Facility. Thank you.

23 CHAIR BOLLWERK: Thank you for coming,  
24 sir. We appreciate your taking the time to speak with  
25 us today. The next speaker I have is Pamela, I'll

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1 mispronounce it. Is it Benge? Benge from U.S.  
2 Representative Steve Pierce's office.

3 MS. BENGE: First of all the Congressman  
4 would like to send his regards and his regrets that he  
5 could not be here today as he had prior commitments.  
6 I am Pamela Benge, District Representative for  
7 Congressman Steve Pierce.

8 I would like to thank the NRC Licensing  
9 Board for presiding over the National Enrichment  
10 Facility licensing proceedings. I am confident the  
11 Nuclear Regulatory Commission process will assure the  
12 NEF will be safe.

13 The final environmental impact statement  
14 issued by the NRC on June 15<sup>th</sup>, 2005 determined that  
15 the NEF will have minimal environmental impact but  
16 will have a positive socio-economic impact providing  
17 jobs and revenue to the local economy.

18 The EIS stated the NRC Staff recommends  
19 that unless safety issues mandate otherwise the  
20 proposed license be issued to LES. This is a very  
21 strong statement by the NRC.

22 The NEF will help provide energy  
23 independence for the United States as an additional,  
24 reliable, and economical domestic source of enrichment  
25 services.

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1           The NEF will contribute to our nation's  
2 energy security needs. NEF will provide a sustainable  
3 domestic supply of low-enriched uranium thereby  
4 substantially reducing U.S. reliance on the global  
5 nuclear fuel marketplace and encouraging competition  
6 within the U.S. market.

7           The Safety Evaluation Report issued by the  
8 NRC on June 15<sup>th</sup>, 2005 stated operation of the  
9 facility does not pose an undue risk to worker and  
10 public health and safety.

11           The NRC Staff stated the plans and  
12 commitments described in the application provide a  
13 reasonable assurance that an acceptable organization,  
14 administrative policies, and sufficient competent  
15 resources have been established or committed for the  
16 design, construction, and safe operation of the  
17 facility.

18           LES has been open and honest about the NEF  
19 operations and has kept our office as well as the  
20 county communities informed about each step of the  
21 process.

22           The NEF is the worlds most advanced,  
23 energy efficient, and cost-effective uranium  
24 enrichment technology. It is a safe process that has  
25 been in use for more than 30 years.

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1           The proposed LES facility is both safe and  
2 environmentally sound as attested to by the NRC and  
3 many documents. LES has been up front with the  
4 citizens of Lea County and the State of New Mexico in  
5 the disposal and deconversion in disposed of -- in  
6 existing low-level radioactive waste facilities  
7 outside of the state.

8           Mr. Chairman, let me reiterate Congressman  
9 Pierce's strong support for the license being issued  
10 to LES for the National Enrichment Facility in Lea  
11 County. Thank you.

12           CHAIR BOLLWERK: Thank you for coming and  
13 speaking with us this afternoon. The next speaker I  
14 have is representative Keith Gardner, who is a New  
15 Mexico State Representative.

16           MR. GARDNER: Thank you Mr. Chairman. I  
17 appreciate you taking the time to come to day to allow  
18 us to testify on behalf of this facility that we are  
19 so excited to have in our part of the world.

20           I also want to thank you for just spending  
21 some time out of -- in rural New Mexico to see exactly  
22 where this facility is going to be. I recently about  
23 three months ago attended a trip to Almelo where we  
24 saw the actually sister company of this facility.

25           I was amazed by two things, one the wonder

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1 of the technology and the location of the facility  
2 being so close to the city of Almelo. The second  
3 thing that was amazing to me is we were allowed to go  
4 throughout the community on our own.

5 And we were asked to go and speak to  
6 people, just general public, to see what their  
7 feelings were about having an enrichment facility  
8 within their community.

9 Many of the people weren't aware of it,  
10 and many of the ones that were aware of it were  
11 thrilled to have them there. They feel that they're  
12 a safe and great partner and they're in a great  
13 facility to have in their community.

14 You know, I'm confident that this process,  
15 as we go through this process and appreciate that your  
16 work in making sure that the area's safe and that this  
17 is a viable project for the State of New Mexico and  
18 for the NEF.

19 I also appreciate the work that the NEF  
20 has done on educating the community. They've been  
21 diligent in their time that they've spent in educating  
22 the community on exactly what's going on as well as  
23 the licensing process as you can see by the vast  
24 number of people that are here in attendance today.

25 You know, the -- I'm sure that the

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1 proposed facility will be both safe and  
2 environmentally sound, I think, is what your  
3 determination will be. And I also want you to know  
4 that there is broad based support within the State  
5 legislature.

6 It's been a wonderful facility, in our  
7 minds, to be able to get behind. Although I don't  
8 speak for the State legislature in general I can tell  
9 you that my colleagues that I've spoken with, I've yet  
10 to hear anybody that's opposed.

11 I hope you'll agree with me that this is  
12 a great facility, that it's going to be safe and  
13 environmentally sound in our area. And we look  
14 forward to working with the NEF and the State of New  
15 Mexico and continuing to partner with them to watch  
16 and see this facility go through.

17 I appreciate your time. Thank you again  
18 for coming.

19 CHAIR BOLLWERK: Thank you for coming and  
20 speaking with us this afternoon. The next speaker we  
21 have is Representative John Heaton, who also is a New  
22 Mexico State Representative.

23 All right, we'll try that one again if --  
24 perhaps he's -- the next individual, Don Whitaker, New  
25 Mexico State Representative. No? All right. Then

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1 let's try Mayor Monty Newman, the Mayor of Hobbs.

2 MR. NEWMAN: Thank you Mr. Chairman and  
3 members of the Board. I want to thank the NRC  
4 Licensing Board for presiding over the National  
5 Enrichment Facility licensing proceedings.

6 We are very confident in both your  
7 expertise and your wisdom in working through the  
8 process. And we believe and are very confident that  
9 you will agree with us that this will be a great  
10 attribute for this community and along with our  
11 nation.

12 We believe that nuclear power is going to  
13 be a significant component of our national  
14 independence and we want to strongly encourage you to  
15 consider that as you develop your evaluations.

16 I will mention to you that I did have the  
17 opportunity to visit Almelo. And while I am not a  
18 nuclear physicist by any stretch of the imagination  
19 the things that I had to consider and look at when I  
20 was in the country were several things.

21 One is the location of the plant, those  
22 industries and individuals that surround the plant,  
23 and the location of the community to the plant. The  
24 things that I found most fascinating was that the  
25 plant itself was located in such a way that both

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1 dairy, agriculture, and recreation were within walking  
2 distance to the plant.

3 The community is also relatively close.  
4 And the vitality, the expansion of the community was  
5 clearly present, and the health and the well being of  
6 the individuals was also clearly present.

7 The one other thing that I wanted to focus  
8 on was the type of industry that surrounded the plant.  
9 Was it an industry that was related to the plant, in  
10 other words their sole source of monetary  
11 consideration was related to the plant itself.

12 What I found was most of the industry that  
13 surrounded the plant was not dependent upon the plant  
14 itself. Therefore in my mind it showed to me that  
15 there was confidence in the industry that are not  
16 related to the plant to locate near the plant and felt  
17 safe and secure in that endeavor, in placing their  
18 capital and their investment, not only that but also  
19 their employees as well.

20 We appreciate you being here. We look  
21 forward to the decision of the Licensing Board. We  
22 believe it will be a positive and affirmative one.  
23 And while the city supported the resolution  
24 approximately two years ago on this plan I would tell  
25 you that today we are strong behind our resolution,

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1 and stronger because of all the work of the NRC Staff  
2 and the Licensing Board as well.

3 I thank you for your time and your  
4 consideration. Thank you for being here.

5 CHAIR BOLLWERK: Thank you for coming, for  
6 speaking with us today. The next name I have is  
7 Robert Wallash who is Hobbs City Commissioner.

8 MR. WALLASH: Hello, thank you for being  
9 here today. I appreciate it. I wanted to -- I am a  
10 lifelong resident of Lea County. I grew up in Eunice,  
11 live in Hobbs.

12 I've lived in Hobbs the last 20 years. My  
13 family actually owns a ranch that's next door to the  
14 LES property. It's just on the north side of it. And  
15 I spent a good part of my childhood out there chasing  
16 lizards and rabbits and coyotes and so I'm very  
17 familiar with the area.

18 And like I say, it's been my home for 50  
19 years and I hope it's my home for a lot more years.  
20 So my point being in this is I'd never support  
21 anything that I felt like would jeopardize my home.

22 So I'm very comfortable in supporting this  
23 project, with what LES has to go through with the NRC  
24 licensing process and oversight process. I'm very  
25 comfortable with that process.

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1 And if everything comes out copasetic on  
2 that and they're granted the license I'll be excited  
3 to have them as a neighbor. So like I said, I'm very  
4 excited and -- comfortable and excited to have LES for  
5 a neighbor. Thank you.

6 CHAIR BOLLWERK: Thank you, sir, for  
7 coming and speaking with us today. The next speaker  
8 would be Mayor Bob Forrest, Mayor of Carlsbad. No?  
9 All right. Betty Richmond, the Mayor of Tatom? No?  
10 All right. Mary -- my handwriting is going to let me  
11 down here. Mary -- I'm sorry, Mary Fuller, excuse me.

12 Mary Fuller from the Eunice City Counsel?  
13 No? How about Mary Mitchell from the Eunice City  
14 Counsel?

15 MS. MITCHELL: Thank you for this  
16 opportunity to speak on behalf of NEF. I'm -- let me  
17 introduce myself. My name is Mary Mitchell. I'm a  
18 Counselwoman on the City Counsel in Eunice.

19 But more important than that is I'm a  
20 lifelong resident of Eunice like Robert. And as we  
21 may have approached this carefully, we aren't nuclear  
22 scientists.

23 And we don't know what to look for. We  
24 appreciate the NRC doing the homework and doing the  
25 study and reassuring us all the way that NEF is going

1 to abide by the rules and be safe and not be a risk.

2 I did make the trip to Almelo and was so  
3 reassured. I was already in favor of it simply  
4 because of those who went before me and the people  
5 that I respected and trusted and who came back and  
6 said it's -- this is a great thing.

7 We're still pinching ourselves in Eunice  
8 because they've chosen Eunice as the site of this new  
9 plant. While in the Netherlands we visited the plant,  
10 the plants I should say.

11 We saw where they've torn down one that  
12 was there for 30 years, and it's gone back to green  
13 pasture. Across the street from their headquarters  
14 and the plants, maybe 100 yards away, I'm not even  
15 sure it's that far, is a childhood nursery where they  
16 keep young children.

17 I just don't think that would be happening  
18 if there was risk. There's the dairy farm right next  
19 door. There's farmers back behind it surrounding it.  
20 The people in the plant, people who had worked there  
21 for 25 and 28 years, that speaks so well for a company  
22 when you have workers, employees, who stay with you.

23 And they're not at all afraid. They're  
24 not in a panic about what they're doing. There's just  
25 no evidence of risk to we common folks that don't know

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1 what to look for.

2 The people in the town were very friendly  
3 and visited with us. Some of them, as Keith said,  
4 didn't even know there was a nuclear enrichment plant  
5 there.

6 Those that did were glad to have it. It  
7 was one of the best employments you could get in the  
8 area. We also met with their City Counsel or  
9 commissioners and the Mayor, and they said they  
10 couldn't have had a better industry come to town, that  
11 it was -- all that was going on there was a good thing  
12 for their community.

13 I want to thank you, the Atomic Safety and  
14 Licensing Board and the NRC for your time here with  
15 us. I want to thank the NEF for being so forth coming  
16 with their information.

17 They have kept us informed both through  
18 these hearings and through the newspapers throughout  
19 the county. Thank you.

20 CHAIR BOLLWERK: Thank you for coming  
21 today. Judge Richard Dolgener, am I pronouncing that  
22 correctly?

23 MR. DOLGENER: Thank you all, I appreciate  
24 it. Richard Dolgener, Andrews County Judge. Since I  
25 only have two minutes I have prepared a memorization,

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1 I think.

2 I appreciate you all coming. I think this  
3 is the second time I appeared before this. The first  
4 time I wasn't ice skating so I didn't have this thing  
5 here with me, but I am prepared for the 2010 in  
6 Canada.

7 I really appreciate you all coming out for  
8 one last final, and I really appreciate the NRC's  
9 Staff. They've been overwhelming in Andrews. There's  
10 a lot of good things happening in Andrews.

11 I was Judge when the legislature passed  
12 House Bill 1367 which allowed a public entity -- I  
13 mean a private entity to start the waste plant, which  
14 Congress passed 25 years ago and hadn't got one done  
15 yet.

16 And so Andrews county in the last ten  
17 years really -- ten years have really been -- after  
18 the nuclear business at first with waste and then LES  
19 and now with our new project teaming up with the  
20 University of Texas with a high-temperature reactor.

21 So we expect to see you all a lot, and  
22 I'll let the other people from Andrews do some talking  
23 to. But thank you for coming and thank you -- I was  
24 also in Almelo like the Counselwoman and heard nothing  
25 but good over there.

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1 And I really tried to walk downtown for  
2 three hours trying ti find people who would have  
3 negatives or anything and I didn't find one. So they  
4 have a good community over there and I hope for that  
5 to be here in Hobbs just like over there.

6 CHAIR BOLLWERK: All right. Thank you,  
7 sir, for coming. I knew that wireless mic in the  
8 audience would come in handy for some reason. So  
9 thank you for coming, I appreciate it.

10 MR. DOLGENER: For the record I could've  
11 made it.

12 CHAIR BOLLWERK: Well that's -- all right.  
13 The next speaker is Flora Braley on the Andrews City  
14 Counsel.

15 MS. BRALEY: Hello. First of all I'd like  
16 to thank you for hosting this meeting and giving us  
17 the opportunity to tell you how we feel about this  
18 project.

19 My name is Flora Braley and I'm City  
20 Counselwoman with the City of Andrews. In my role as  
21 the City Counsel I represent the community in any  
22 concerns or questions that they may have.

23 They want my feedback on how I feel about  
24 projects. Therefore it is very important to me that  
25 I be informed on what we as a community support. Les

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1 has been up front with our community, giving us any  
2 information that we needed.

3 I had the opportunity to travel with a  
4 group to Almelo in November of 2005 to tour the Urenco  
5 plant, and like the people before me it was amazing.  
6 During my trip I was able to visit with regular people  
7 like ourselves who shared their stories about the  
8 plant.

9 I heard how this company was very  
10 committed to the community, how it created good jobs,  
11 and I even talked with the employees who were really  
12 tickled to have their jobs, and they said nothing but  
13 good about the company.

14 I was impressed with the safety and the  
15 construction of the plant. Everything that I saw  
16 reassured me that this was a good thing. I learned  
17 that NEF will use the worlds most advanced, energy  
18 efficient, and cost-effective uranium enrichment  
19 technology.

20 This technology will be safe and  
21 environmentally sound. This is really important to  
22 me. We look forward to the groundbreaking for LES.  
23 We strongly support them and we welcome the  
24 partnership with them. Thank you very much.

25 CHAIR BOLLWERK: Thank you for coming

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1 today. The next speaker would be Hiram is it Hubert  
2 or Herbert? Hubert, Hiram Hubert from Andrews -- an  
3 Andrews County Commissioner, excuse me.

4 MR. HUBERT: Again, we would like to thank  
5 you for being here. My name is Hiram Hubert and I'm  
6 County Commissioner in Andrews, Texas. As Ms. Braley  
7 said we welcome you here.

8 We are so thrilled to have the diversity  
9 of the -- opportunity for new jobs coming to west  
10 Texas and southeastern New Mexico. We have long been  
11 an advocate of trying to diversify this economy.

12 And this will help us through that. With  
13 over 400 jobs, construction jobs, coming with this  
14 opportunity and 210 permanent jobs we sure do welcome  
15 that opportunity.

16 And we surely thank you for being here and  
17 overseeing this. Again, thank you very much.

18 CHAIR BOLLWERK: Thank you for coming to  
19 speak with us this afternoon. The next speaker would  
20 be Joel Calderon, Hobbs City Commissioner.

21 MR. CALDERON: Good afternoon. This is an  
22 exciting day for Lea County. We have waited a long  
23 two years. The National Enrichment Facility is on the  
24 verge of breaking ground.

25 LES came to Lea County with a promise that

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1 the NEF was safe and gave us their word. LES worked  
2 hard to keep that promise. Before I go any further  
3 let me introduce myself.

4 I am Joel Calderon. I have been a City  
5 Commissioner since 1994 and will begin my fourth term  
6 Tuesday March 7<sup>th</sup>, 2006. I also served for two years  
7 as Mayor.

8 I'm also on the Hobbs School Board. I  
9 retired from Hobbs Municipal Schools as an educator  
10 after 30 years. I bring my credentials forward  
11 because as an elected official people trusted I will  
12 make the right decisions where their community is  
13 concerned.

14 I also need to add that I am a liaison  
15 person for LES in the Hispanic community. But let me  
16 make this clear. I would not be that person if I did  
17 not believe that the facility is a good thing.

18 I have never been asked to say or do  
19 anything to mislead the public about the facility.  
20 People want to know that NEF will be safe. I had to  
21 do my homework and learn about the National Enrichment  
22 Facility.

23 If I wasn't convinced that the project was  
24 safe and good for Lea County then I couldn't live with  
25 this, no. As with anything that is new there are

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1 always questions and an effort to answer these  
2 questions.

3 There were many meetings to inform the  
4 public. The meetings were open to everyone. Let me  
5 stress open to everyone. Nothing was held back.  
6 Questions and concerns were answered.

7 There was a lot of information given out.  
8 To further educate us several groups went to Almelo,  
9 as people have said, where they have an enrichment  
10 facility like the one they want to build here.

11 I went with a group of about 23. We saw  
12 the plant. We asked questions and had every concerned  
13 answered. First we saw the plant in Almelo. We were  
14 given information.

15 Then I spent three hours on my own, like  
16 others have, talking to regular citizens and their  
17 responses were positive. I never got a negative  
18 response, in fact they acted like it was no big deal.

19 Never any problems and the facility has  
20 been there over 30 years. I felt really good. If I  
21 had any doubts they disappeared. I was ready to sing  
22 the praises of the NEF.

23 But this wasn't all LES was doing. They  
24 continued to educate the public. Of course they  
25 couldn't take all of Lea County to Almelo, and our

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1 group was not the only group to go.

2 They have taken several other groups to  
3 Almelo. I have not heard any negative responses. The  
4 media plays a big part in informing the public. I  
5 have a radio show on KLMA radio.

6 Jim Ferlan, Marshall Cohen and others have  
7 been on my radio show to educate our Hispanic  
8 community. They, LES, have an open invitation to come  
9 anytime to keep us updated.

10 For the past several years, long before  
11 LES, I have gone out and knocked on doors during the  
12 summer months. I like to check on the community to  
13 see if people have complaints of concerns about the  
14 city or the schools, because like most of us we don't  
15 have time to attend a lot of meetings.

16 But if you go to their homes they are very  
17 open about concerns they might have. After LES  
18 arrived I added them to my list when I talked to  
19 people at their homes and other than the safety factor  
20 there was not anything negative they are concerned  
21 about.

22 For the most part they are glad to be  
23 getting the facility. To the Nuclear Regulatory  
24 Commission, thanks for presiding over the licensing of  
25 the National Enrichment Facility.

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1           You left no stone unturned as you went  
2 through your difficult job of making sure that NEF as  
3 safe. You worked hard to turn those who were against  
4 NEF to support it little by little.

5           Now negatives turn positive. In closing,  
6 let me thank LES for coming to Lea County. The  
7 opportunities that will be created because of you will  
8 be numerous.

9           Our young people will have a choice to  
10 stay in Hobbs rather than leave for better jobs  
11 somewhere else. To Jim Ferlan and Marshall Cohen, my  
12 thanks to you for your honesty.

13           You have always been there willing to meet  
14 with one, two, or 200 people to answer their  
15 questions. And there were many, many people involved  
16 in bringing NEF to Lea County.

17           This has been a major project for people  
18 who live and care about their communities, and my  
19 thanks go to each and every one of them. And of  
20 course at the top of the list would be Senator Carroll  
21 Leavell and Johnny Cope. Thanks again.

22           CHAIR BOLLWERK: Thank you, sir, for  
23 coming and talking with us this afternoon. At this  
24 point I think we're ready to begin with those that had  
25 preregistered.

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1           The first speaker would be Nedra Reagan,  
2           than John Dittrich and then Ken Weaver.

3           MS. REAGAN: Hello. Thank you for this  
4           opportunity to express my views. My name is Nedra  
5           Reagan. I'm an elementary librarian in Hobbs, and the  
6           wife of an attorney.

7           My perspective is a little different then  
8           those that have been expressed so far. I have eight  
9           basic safety concerns that I don't feel have been  
10          adequately addressed which I will present to you in  
11          written form, but I would like to mention four of then  
12          now.

13          One, how is it possible for less waste to  
14          be classified as low-level waste when even the Vice  
15          President of LES agrees it's up to three and a half  
16          times as radioactive as the waste at WIPP?

17          Two, foreign owned Urenco, who was  
18          recently purchased Westinghouse and is the parent  
19          company of LES would have little reason to care about  
20          the long-term effects an enrichment plant would have  
21          on the people in this area.

22          What's to keep them from pulling out if  
23          there are problems and leaving us to deal with and pay  
24          for help and waste problems? Three, the enrichment  
25          plant could easily be configured to produce weapon

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1 grade uranium.

2 Our county is concerned with Iran having  
3 an enrichment plant for just this reason. Does  
4 someone already have that in mind for the LES plant?  
5 Four, since uranium enrichment plants are prime  
6 terrorist targets, the potential for a terrorist  
7 attack on the LES plant is very real.

8 What are the security plans? Is security  
9 even being taken seriously since this is a low  
10 population area? Terrorists have proven themselves  
11 willing to sacrifice their lives for even small gains,  
12 but unleashing a significant amount of radiation can  
13 have devastating effects hundreds of miles beyond the  
14 site of attack.

15 LES claims the release of radiation from  
16 solid waste is negligible. Even if that were true,  
17 what if it were a hot day and the waste has become  
18 gaseous?

19 Couldn't that kill everyone in Eunice in  
20 a matter of minutes? Thank you for consideration of  
21 my concerns. I will expound upon them in a written  
22 statement.

23 CHAIR BOLLWERK: Thank you for coming to  
24 speak with us today. The next speaker was John  
25 Dittrich. And while you're coming -- let me just ask

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1 LES.

2 I know a number of the individuals from  
3 here on that were preregistered came off of lists that  
4 you provided us. There's nothing wrong with that, and  
5 we're just -- the Board was sort of interested in how  
6 the list was put together, if you can provide us with  
7 any information about that. Do you know? Do you --

8 MR. CURTISS: Yes, I think Marshall Cohen  
9 is here and can address that.

10 CHAIR BOLLWERK: And again, I'm not  
11 raising a problem, there's nothing -- we're just sort  
12 of interested in how the list was put together so that  
13 -- groups different, whether it's LES or others, often  
14 do this and we're just sort of interested in how this  
15 one was done, so -- why don't you go up there?

16 I'm sorry, Mr. Dittrich. I should have --  
17 just one second here.

18 MR. COHEN: Mr. Chairman, we as I think  
19 you've heard have an active program down here of  
20 communicating with the public on a regular basis. And  
21 we notify a significant number of people that the  
22 proceedings that you're undertaking will be here, time  
23 and the place.

24 And we notify them of the possibility of  
25 speaking in the limited appearance section and ask

1 people if they would like to do so to notify us. We  
2 put that list together and send that list to you.

3 CHAIR BOLLWERK: All right. All right,  
4 thank you very much, appreciate it. All right, Mr.  
5 Dittrich, I'm sorry. Thank you, sir.

6 MR. DITTRICH: Good afternoon. Thank you  
7 for the privilege to speak. My name is John Dittrich.  
8 I'm employed by the City of Eunice. I've lived in  
9 Eunice 16 years.

10 And I am excited about the possibility of  
11 NEF building this facility near Eunice. I have six  
12 grandchildren that live in southern Lea County. I am  
13 excited about their future, being able to live in a  
14 safe environment, and possibly work at a safe facility  
15 that will provide energy for our country.

16 I am thankful that the Nuclear Regulatory  
17 Commission has, like we're heard before, done their  
18 homework and providing information that the common man  
19 probably would never know if they had not informed us.

20 And NEF has also made available  
21 information if anybody wanted to know they could know  
22 as much as possible to realize that this is -- company  
23 has a good track record.

24 And I believe that's very important. And  
25 these people that have visited this plant, or these

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1 plants, have all come back very excited about the  
2 safety and how comfortable people are being around.

3 I want to thank you for the opportunity to  
4 speak.

5 CHAIR BOLLWERK: Thank you for coming and  
6 talking with us today. The next speaker would be Ken  
7 Weaver and then Candy Gonzales and then Alberto  
8 Caballero, if I pronounced that correctly.

9 MR. WEAVER: Good afternoon. My name is  
10 Ken Weaver. I am the City Manager of Eunice, and we  
11 thank you for -- the NRC Licensing Board for presiding  
12 over the National Enrichment Facility license  
13 proceedings today and giving us a chance to, you know,  
14 make a couple brief statements.

15 I would concur with all the information  
16 that you've been given about our trip to Almelo  
17 because I myself went. What we saw about the plant,  
18 one of the things that I was most impressed with was  
19 the professionalism of all the employees that we saw  
20 and how careful they were in what they were doing and  
21 going about their appointed tasks during the days when  
22 we were there at the plant.

23 I am glad to go on record as supporting  
24 this facility, and being the City Manager of Eunice I  
25 will be at the forefront of -- at the plant there

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1 because that is very close to the city itself.

2 And we will be the closest municipality to  
3 the facility. We will be assisting the National  
4 Enrichment Facility with infrastructure and other  
5 needs as necessary, and I can tell you that safety and  
6 other issues have been brought up to us, up to myself  
7 and to the people within my departments.

8 And I'm very comfortable with the plant  
9 being there. Thank you.

10 CHAIR BOLLWERK: Thank you, sir, for  
11 coming and talking with us this afternoon. I  
12 understand Ms. Gonzales is not here so we'd have next  
13 Alberto Caballero, if I pronounced that again I'm  
14 sorry, and Matt White, and then Chris Rounds.

15 MR. CABALLERO: Good afternoon. Thank  
16 you, you pronounced that correctly.

17 CHAIR BOLLWERK: Was I close? Good, thank  
18 you.

19 MR. CABALLERO: Good, you did a great job.  
20 Thank you for being here. I am President of the Board  
21 for this Chamber of Commerce here locally, and we  
22 support the NEF as well.

23 We have been really impressed with all the  
24 communication efforts they've done. They've been  
25 really forthcoming with information. They have been

1 really good at communicating with the Hispanic  
2 community, and I would -- and the minority community  
3 in general, Hispanic included.

4 We feel real comfortable that they have  
5 been honest. They have done good, good work at  
6 involving the Hispanic community. I, as well as a lot  
7 of other Hispanics and people in this room, have  
8 visited the plant, and we're really impressed like  
9 everyone else at the safety.

10 They have shown to be good corporate  
11 citizens and partners in our community, and have our  
12 full support from the Hispanic community. Thank you  
13 for your time.

14 CHAIR BOLLWERK: Thank you for coming  
15 today. The next speaker would be Matt White, then  
16 Chris Rounds, then Brenda Brooks.

17 MR. WHITE: Good afternoon ladies and --  
18 or gentleman, ladies. I appreciate you inviting me to  
19 speak. My name is Matt White. I do live in Eunice.  
20 Just a little bit of my background, I spent 22 years  
21 in the Air Force, retired as a Lieutenant Colonel, was  
22 a Squadron Commander there.

23 Back during the Cold War I did have an  
24 opportunity to fly F-4s and sit on come nuclear bombs  
25 and worked with nuclear material. The last 14 years

1 I have flown with Southwest Airlines.

2 My family lives in the town of Eunice. My  
3 wife, daughter, son-in-law, there grandchildren, we're  
4 third generation there. My grandchildren are fifth  
5 generation so you can see I have a very vested  
6 interest in this project.

7 I'm presently in the process of running  
8 for the Mayor position in the city. I've spent many  
9 hours of the past few weeks talking with different  
10 people in the city there.

11 From the feeling I'm getting is the  
12 majority of the people in Eunice do support this  
13 project. They're like everyone else. We do have  
14 concerns as to the guidelines and safeties of the  
15 project.

16 And from what I can see NRC is doing an  
17 excellent job of making sure that all these  
18 regulations and projects are followed. Having  
19 reviewed all the LES plans and their safety record,  
20 from my own dealing with nuclear materials I believe  
21 this plant can be built in a safe manner that will not  
22 impact on the environment or on our local community.

23 As the new Mayor I'd be willing to work  
24 with the NRC and LES for the city's concerns and fully  
25 support the project. Thank you.

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1 CHAIR BOLLWERK: There for coming, sir.  
2 Chris Rounds would be next, and then Brenda Brooks,  
3 and then Judy Hann -- I'm sorry, Judy Hanna, Hanna.  
4 Mr. Rounds? No? All right. How about then Brenda  
5 Brooks?

6 MS. BROOKS: First of all I'd like to  
7 thank you gentleman for being here today. My name is  
8 Brenda Brooks. I'm a native Hobbsian. I've been in  
9 Hobbs for 52 years.

10 A little bit about my background, I spent  
11 17 years in the oil and gas industry. For four years  
12 I was director of oil field and safety training at San  
13 Juan College and another four years as Director of  
14 Ally Health Programs in Odessa College before moving  
15 back to Hobbs.

16 I had the wonderful opportunity to go to  
17 Almelo. And I went as a private citizen who had not  
18 made up my mind about how I felt about the plant being  
19 constructed down in Eunice.

20 I visited with a number of people in the  
21 community there and we were given free reign. They  
22 didn't direct us as to who to talk with. I did find  
23 one person who said he was initially opposed to the  
24 plant but he's since he's had to do what we would call  
25 E-CROW, and decided that it was a wonderful, wonderful

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1 thing that happened to his community in having that  
2 plant built there.

3 With my background in oil and gas I was  
4 overwhelmed by the level of technology that I saw  
5 there. The safety was impressive and the technology  
6 that they were using within that plant I had never  
7 seen or experienced anything like that.

8 I know that there are a lot of people who  
9 always say not in my back yard, but if they want to  
10 build it in my I'm perfectly okay with that.

11 CHAIR BOLLWERK: Thank you for coming and  
12 speaking with us today. Judy Hanna and then Mike  
13 Patterson, and then David Gallegos. I'm probably  
14 mispronouncing that I'm sure.

15 MS. HANNA: I'm Judy Hanna, owner-  
16 publisher of Lea County Tribune newspaper, an ex ten  
17 year television newswoman and have lived in Lea County  
18 for 52 years.

19 It is an honor to have you here in Lea  
20 County to hear input from the citizenry about the  
21 National Enrichment Facility. Of the thousands of  
22 news stories I've covered one thing is evident.

23 Marshall Cohen, his team, April Wade, and  
24 local contact Dennis Starr have provided the most  
25 comprehensive information ever disseminated to the

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1 people, have been meticulous in seeking input, and  
2 have provided factual data to address questions.

3 I have no doubt that NEF will be safe. We  
4 live on top of the oil patch, a place where poisonous  
5 H2S gas is ever present and is an ever present danger.  
6 We have hazardous materials coming through Lea County  
7 for years. The waste isolation pileup project went  
8 through a similar process of inquisition.

9 We have had no public safety problems. A  
10 handful of alarmists focus on what could happen  
11 regardless of what the project is that is being  
12 proposed.

13 The majority of us in Lea County have a  
14 strong resolve and spirit that focuses on the fact  
15 that in reality the companies who maintain operations  
16 here like NEF will take serious steps to ensure the  
17 safety of the people.

18 If the majority of Lea Countians did not  
19 think that way they would never step outside of their  
20 homes for fear that something could happen with a gas  
21 leak from the oil fields.

22 We have long needed to diversify the  
23 economy here. NEF is our opportunity to do just that.  
24 Finally, NEF has worked hard to ensure that skills  
25 training is available.

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1 My husband is a Lea County attorney and  
2 Chairman of the Board of New Mexico Junior College.  
3 We have seen the commitment of NEF toward working  
4 diligently with the county and educational outlets to  
5 create a solid skills base for all individuals who  
6 will work with the NEF.

7 I perceive LES and Urenco as responsible  
8 visionaries with a successful track record who can and  
9 will bring a positive influence to the area and to the  
10 lives of the people. Thank you.

11 CHAIR BOLLWERK: Thank you very much for  
12 coming and speaking with us today. The next speaker  
13 would be Mike Patterson and then David Gallegos and  
14 Sonya Gallegos if I'm -- is Mr. Patterson here?

15 Is Mr. Gallegos here, or Ms. Gallegos?  
16 All right, how about Marty Rodriguez? Jim Maddox?  
17 After Mr. Maddox would be Connie Sevier and Mike  
18 Whitehead.

19 MR. MADDOX: Good afternoon, I appreciate  
20 you all being here. I am an attorney in Hobbs. I'm  
21 speaking individually as a citizen of Hobbs having  
22 lived here for over 36 years.

23 I'm not talking -- I'm not here  
24 representing any client or any organization so my  
25 billing rate is very reasonable I can assure you. In

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1 the early part of my career as an attorney I  
2 represented the electric utility that served this area  
3 before it was acquired by SPS.

4 I spent a lot of time dealing with  
5 regulators and administrative judges and working with  
6 them as well. So I've watched this process with great  
7 interest.

8 And the way this process has gone forward  
9 has been very impressive to me. It's been  
10 comprehensive, fair, and objective. I wish I could  
11 say that's always the case in the regulatory  
12 environment but sometimes that's not the case.

13 But as a citizen it really gives me  
14 confidence that this process is going to give us a  
15 result that we can rely on, because the technology  
16 that's available, the insight, the expertise that's  
17 available both with this Panel and the Staff that  
18 supports you, it provides great comfort to me.

19 Secondly, I do represent some clients,  
20 they do a different hourly rate, that have had an  
21 opportunity to do business with LES over the last  
22 number of years.

23 And in that representation in dealing with  
24 LES I've been able to observe their credibility and  
25 their business practices as well. In that experience

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1 I've had to -- I have come to have great confidence in  
2 the management team and particularly the openness and  
3 professionalism of Jim Ferlan.

4 Lastly, and I was struck by the comments  
5 from Senator Diminichi today, I personally think that  
6 our President and our Senior Senator are correct in  
7 that one of the long-term key solutions to our  
8 dependence on foreign oil and the related political  
9 and economic issues is an expansion of the nuclear  
10 power industry in the United States.

11 I urge this Panel and the Commission to  
12 use its best efforts to make this happen, that being  
13 the expansion of nuclear power in the United States.  
14 And I'm very excited that Lea County might be given  
15 the opportunity to be part of that solution. Thank  
16 you very much.

17 CHAIR BOLLWERK: Thank you for coming and  
18 speaking with us this afternoon. The next speaker  
19 would be Connie Sevier, then Mike Whitehead, then  
20 Natalie Meyers.

21 Connie Sevier? No? How about Mike  
22 Whitehead?

23 MR. WHITEHEAD: Thank you for being here  
24 today. I am Mike Whitehead. I am -- have been a  
25 resident of Lea County for 34 years of my 46 years.

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1 I lived in Tennessee and Mississippi for 12, but we  
2 are just completely confident that you guys have done  
3 a great job in overseeing this matter.

4 As a candidate for Lea County Commission  
5 District 2 you would have my full support of the  
6 county here. As past president and current board  
7 member of NMSTA, which is New Mexico School of  
8 Transportation Association, you also have our  
9 endorsement on this matter.

10 And if they can ever figure out how to  
11 build a nuclear powered school bus I'll volunteer to  
12 drive the first one.

13 CHAIR BOLLWERK: All right. Thank you,  
14 sir. Natalie Meyers? I understand a couple of the  
15 speakers that we called earlier have now arrived, so  
16 let's try Representative Jim Heaton?

17 MR. HEATON: Well good afternoon, welcome.  
18 We're pleased you're here today. I'm State  
19 Representative John Heaton and I represent House  
20 District 55 which comprises most of southeaster  
21 portion of Eddy County, and that's the adjacent county  
22 to the east from Lea County.

23 My district includes most of Carlsbad and  
24 the communities south to the state line and then over  
25 to Lea County where the LES project is. The WIPP

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1 project, of which I am extremely proud, is in my  
2 district as well as most of the potash reserves and  
3 mining in the state.

4 The WIPP project, dealing with the  
5 disposal of transuranic waste from the weapons  
6 complex, is an enormously successful project. WIPP is  
7 successful because safety has always been the number  
8 one issue and the number one emphasis of the project.

9 We have now been in operation for over six  
10 years, have received some 4,000 shipments.  
11 Approximately 33,000 cubic meters of waste. And we  
12 are now receiving about 30 shipments a week which is  
13 considerably more than we had anticipated in the  
14 beginning, which would be 17 per week.

15 And it will eventually lead to about a  
16 three billion dollar savings for the country because  
17 of this accelerated program. I point this out because  
18 WIPP has been groundbreaking for the nuclear industry  
19 in this country.

20 We have moved from an absolute quagmire as  
21 you people are very aware of where we were falling  
22 behind in the world in nuclear research and  
23 development, and totally becoming dependant on foreign  
24 oil to a point that now nuclear energy and nuclear  
25 policy is moving to the forefront of our energy

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1 discussions because we now have answers to nuclear  
2 waste management and the complete nuclear fuel cycle.

3 It is clear that if we as a country want  
4 to be independent and competitive in the future we  
5 must break the stranglehold on us of being 65 percent  
6 dependent on foreign oil.

7 And to complicate the problem other  
8 country's demands like China, India, Indonesia, and  
9 others are increasing geometrically, which will only  
10 serve to drive oil prices to further economic levels  
11 and make us less competitive.

12 Today we are even more dependent on  
13 enriched uranium for our nuclear power plants than  
14 imported oil in that we are now importing 85 percent  
15 of the enriched fuel in this country.

16 We must change this dependency and this  
17 enrichment plant in Eunice is the beginning of the  
18 answer. WIPP has paved the way, in my opinion, to  
19 clear understanding of the nuclear industry, its  
20 attributes, its hazards, and its safe management.

21 As you know this plant deals with only  
22 low-level radioactive materials. The system is  
23 totally closed from one end to the other where the  
24 stock material begins as a completely controlled solid  
25 material and ends up with a product, solid product,

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1 and depleted solid uranium as the result.

2 I can't conceive of a safer system than a  
3 totally closed pipe, if you will, from one end to the  
4 other. I enthusiastically support this project. We  
5 in Carlsbad actually originally brought LES to New  
6 Mexico, but only after investigating LES and their  
7 process thoroughly before doing so.

8 Like WIPP, the detractors of this project  
9 will be proven wrong. And I support moving the  
10 permitting process forward as expeditiously as  
11 possible. Thank you very much.

12 CHAIR BOLLWERK: Thank you for coming this  
13 afternoon, we appreciate it. Mayor Bob Forrest of  
14 Carlsbad, New Mexico?

15 MR. FORREST: Thank you very much for the  
16 opportunity. And I've got a big heavy election  
17 Tuesday on this Mayor for the City of Carlsbad. If I  
18 loose it will be because we lost the LES project at  
19 Hobbs.

20 But this meeting kind of reminds me of 25  
21 years ago. We had the same meeting in Carlsbad about  
22 talking about the WIPP project. And in the early days  
23 probably 30 or 35 percent of the people approved of  
24 the project.

25 And today I'm happy to report that 90 to

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1 95 percent of the people approve of WIPP. And we've  
2 been out looking for other projects as LES and the PIP  
3 project and the recycling, the reprocessing.

4 When you can look at New Mexico and see  
5 what's happened and how we've changed all the  
6 attitudes of people, I think the thing that's really  
7 been -- credibility, is the people of Lea County and  
8 west Texas and all over southeastern New Mexico have  
9 seen how we have handled this project, how safe it is,  
10 and what it means to the country.

11 And how safe, and the overkill of safety  
12 when you go through the WIPP project. And I can talk  
13 till I'm blue in the face, but once you take somebody  
14 through that billion dollar facility and they see the  
15 money the DOE spent and the commitment they made to  
16 make that thing safe, it is one of the biggest selling  
17 points we have.

18 And today to see the WIPP be successful  
19 and look at here comes LES that was really ran out of  
20 Tennessee and Louisiana and they come here to New  
21 Mexico and we kind of get in a fight over who's going  
22 to get them, and then here comes the CWS over here,  
23 and then over at Odessa, Texas they have the reactor  
24 they're putting in.

25 And I can remember the citizens of Midland

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1 and Odessa were the biggest obstacles to WIPP that we  
2 had. But I think more and more people are seeing what  
3 it means and they're wanting them to come to their  
4 country or their part of the city.

5 And I was talking to Johnny Cope just a  
6 couple of months ago, and we were talking about we  
7 need to look at a workforce to take care of the  
8 people, to work in these facilities.

9 And I can guarantee you one thing, there's  
10 a shortage of workforce in the potash industry and in  
11 the oil field. But for the WIPP project they have  
12 stacks and stacks of applicants of people wanting to  
13 work with these facilities.

14 They realize how safe they are. They  
15 realize the benefits, the good pay, and so they're a  
16 big benefit to your community. And I can say proudly  
17 30 years ago the best thing that ever happened to  
18 Carlsbad, New Mexico was bringing the WIPP project to  
19 our city.

20 And I encourage you to work with LES. If  
21 I could make one recommendation the recommendation I  
22 would make is maybe move it 80 miles to the west. It  
23 might work better if you could do that.

24 But again, thank you for the opportunity.  
25 I think it's a great opportunity for the country and

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1 it solves a lot of problems. Thank you very much.

2 CHAIR BOLLWERK: Thank you for coming  
3 today and speaking with us. The next speaker would be  
4 Billy Hobbs, the City Commissioner from Eunice.

5 MR. HOBBS: I'd like to thank you all for  
6 giving me an opportunity to speak to you all again.  
7 My name is Billy Hobbs. I'm on the Eunice City  
8 Counsel and I'm also running for Mayor of Eunice.

9 And I went on the trip to Almelo, so kind  
10 of what everybody else said, the facility was  
11 outstanding and the people around it supported it like  
12 I've never seen any before, you know, happy to have it  
13 around and everything else.

14 And so I think it would be a great  
15 addition to Lea County, the City of Eunice. And then  
16 also I'd like to say in the part of NEF, we had a  
17 break in at our junior high a couple of years ago,  
18 about now, and they did some damage to our library  
19 and, you know, trashed some books and all that.

20 Well they've set up a foundation that they  
21 got going and they contributed to the schools to help  
22 replace our books and everything, so they're already  
23 becoming a part of our community in more ways than  
24 one.

25 And I'd just like to thank you for the

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1 opportunity to speak today.

2 CHAIR BOLLWERK: Thank you for coming and  
3 speaking with us. Let's have one more speaker and  
4 then we'll -- I think we'll take a five minute break.  
5 We've been going about an hour. Alice Hahn?

6 MS. HAHN: My name is Alice Hahn. I've  
7 been a resident of Eunice for 30 years and teach high  
8 school math and science in Eunice public schools. I  
9 would like to thank the Nuclear Regulatory Commission  
10 for presiding over the National Enrichment Facility  
11 licensing process, and particularly for making every  
12 effort to assure that concerns of the citizens in the  
13 area can be heard.

14 With my academic background in biology and  
15 chemistry I am aware of necessary precautions inherent  
16 in operating an enterprise that manipulates nuclear  
17 material.

18 After investigating the safety record of  
19 existing enrichment facilities in other parts of the  
20 world I am convinced that this unit under  
21 consideration is not only of a safe design but also  
22 has a protocol which ensures safe operation.

23 I've also observed the process of the  
24 Nuclear Regulatory Commission in their painstaking  
25 examination of every detail which impacts the safe

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1 handling of the material and I am confident in this  
2 process to guarantee the enrichment facility will be  
3 safe for our community and the surrounding area.

4 In addition to these concerns for safety  
5 I appreciate the effort made by the National  
6 Enrichment Facility to keep community members and  
7 specifically the school officials aware of the  
8 progress related to the steps in the ongoing licensing  
9 process and the projected construction and operation  
10 time-lines. Thank you.

11 CHAIR BOLLWERK: Thank you for coming this  
12 afternoon. All right, at this point why don't we go  
13 ahead and take a five minute break. Everybody get up  
14 and stretch their legs.

15 We'll start again in about five minutes  
16 and we'll start with Pam Fisher, Bob Stewart and Chad  
17 Thompkins.

18 (Whereupon, the above-entitled matter went  
19 off the record at 4:03 p.m. and went back on the  
20 record at 4:20 p.m.)

21 CHAIR BOLLWERK: Let me just mention again  
22 some folks may have come in in the interim. We would  
23 like -- appreciate if everyone would turn off their  
24 cell phone while they're in the room with us.

25 Let's begin now with Pam Fisher, then

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1 we'll do Bob Stewart and Chad Thompkins.

2 MS. FISHER: Hello, I'm Pam Fisher from  
3 Andrews. I'm Director of the Andrews Business and  
4 Technology Center. I want to thank you so much for  
5 being here and presiding over these licensing  
6 proceedings.

7 As a resident of Andrews for an unlisted  
8 number of years, my entire life, I must tell you that  
9 Andrews is very near and dear to my heart. My husband  
10 is a rancher in Andrews and we have three children.

11 As these children embarked upon their  
12 college careers I found myself telling them it's not  
13 what you want to be when you grown up it's what you  
14 want.

15 And all three of my children said we want  
16 to live in Andrews. My daughter became an attorney,  
17 graduated from Texas Tech, moved to Andrews. She hung  
18 out her shingle, she's trying to make it as a new  
19 attorney.

20 My son graduated from College at Texas  
21 Tech and he came back to Andrews and he put in an oil  
22 company. We're very proud that our children decided  
23 that they wanted to do something that would enable  
24 them to live in Andrews.

25 Had they majored in marine biology they

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1 could not have lived in Andrews. Our youngest son is  
2 a junior at Texas Tech majoring in land management.  
3 Hopefully he will be able to gain employment in the  
4 Andrews area because what he wants to be is secondary  
5 to what he wants.

6 What he wants is to live in Andrews, as  
7 did my husband and I when we left Andrews to embark  
8 upon our college careers. My husband wanted to live  
9 in Andrews.

10 He wanted to carry on the family tradition  
11 of ranching. If he wanted to be a NASA engineer he  
12 knew that his first goal of living in the area would  
13 have to go by the wayside.

14 We are very pleased in Andrews that LES is  
15 coming to the area. And we support the economic  
16 diversification the project brings as well as the  
17 educational diversification that this project will  
18 bring our area. Thank you.

19 CHAIR BOLLWERK: Thank you for coming and  
20 speaking with us this afternoon. The next speaker  
21 would be Bob Stewart, then Chad Thompkins, and then  
22 Martin Martinez.

23 MR. STEWART: Good afternoon. My name is  
24 Bob Stewart, President of Stewart Incorporated in  
25 Andrews, Texas. I also am on the Board of Economic

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1 Development in Andrews.

2 I'd like to thank you guys for being here,  
3 the NRC for being here. What a wonderful deal it is  
4 to be able to speak in a country where we can voice  
5 our opinions, good or bad.

6 What a great deal. We -- I'm confident  
7 you guys are going to do the right things, ask the  
8 right questions. And not only was I confident you all  
9 will, I actually took a trip to Almelo myself to ask  
10 those questions, have those questions answered myself.

11 Same experience over and over I've heard  
12 through the room today. The people -- the plant was  
13 amazing, out of this world. The technology, the  
14 upkeep, the maintenance was second to none.

15 The most impressive thing that I found  
16 through the whole adventure was the people that I  
17 talked to, how supportive they were, and actually in  
18 the small community people that didn't even know it  
19 existed.

20 What a testimony to how wonderful that  
21 plant is there. I actually took mine another step  
22 further. I visited a facility that manufactured parts  
23 for this plant to see the quality assurance that they  
24 went through.

25 The integrity that they went through to

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1 produce products to go in these plants is second  
2 nowhere in the world. It was such a wonderful  
3 experience to see.

4 I don't like to express our gratitude for  
5 them to be here, 400 some plus construction jobs, the  
6 210 permanent jobs. What a wonderful, wonderful thing  
7 for our economic development in our area.

8 I thank you all for being here, thank you  
9 for your time.

10 CHAIR BOLLWERK: Thank you sir, for coming  
11 to speak with us today. Chad Thompkins and then  
12 Martin Martinez and then Jud Porter. Chad Thompkins?  
13 All right, how about Martin Martinez? Jud Porter and  
14 then Jenny Redmond.

15 MR. MARTINEZ: Thank you for being out  
16 here this afternoon, thank you. I want to thank the  
17 NRC Licensing Board for presiding over the NEF  
18 licensing proceedings.

19 I'm a resident of Andrews, Texas. And as  
20 a business owner and leader in the community a lot of  
21 people have come up to me and asked me, you know, what  
22 do you think about the LES project?

23 One of the things that I've been very  
24 impressed, as I was with the WCS project when it was  
25 coming into our community, was the education that was

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1 provided to us.

2 I've always believed without that  
3 education and asking questions, and answering those  
4 questions are so important to our community. So the  
5 LES project has been very helpful in answering a lot  
6 of our questions.

7 I'm the individual that asks a thousand  
8 questions. And if you show me two and two is four I  
9 want to know how you got there. So like I said again,  
10 as a business owner and leader in the community, a lot  
11 of those questions have been provided.

12 And we welcome LES to be our neighbor.  
13 Thank you.

14 CHAIR BOLLWERK: Thank you for coming,  
15 sir. Jud Porter, then Jenny Redmond, and John Boyd.  
16 I'm sorry, okay. None of them? Okay. Jenny Redmond?  
17 No? John Boyd? No? How about Robert Detweiler?  
18 Then Bill Bartlett would be after that.

19 MR. DETWEILER: Bill's actually not here.

20 CHAIR BOLLWERK: Okay.

21 MR. DETWEILER: Thank you very much. My  
22 name is Robert Detweiler and I'm the Economic  
23 Development -- of the Executive Director for the  
24 Carlsbad Department of Development.

25 We are the economic and community

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1 development organization for Carlsbad and south Eddy  
2 County, and I'm here today representing the over 74  
3 members that we have in our organization.

4 This membership consists of business  
5 leaders, business owners, community leaders, and we're  
6 here today to support and thank you for presiding over  
7 the licensing proceedings.

8 On behalf of my organization and our  
9 membership we would like to give you our support to  
10 move forward with these licensing proceedings. As  
11 been said a number of times this is an unbelievable  
12 economic boost to this region.

13 And truly to this region it's very  
14 important, you know, economic development and  
15 community development, I don't know if my Mayor is  
16 behind me, but doesn't really see county lines.

17 I mean we all benefit from these kind of  
18 projects whether what community they're in as long as  
19 they're in our region and it supports us immensely.  
20 We've been very happy with the open and honesty of  
21 NEF and of their operations and all their -- all the  
22 information that they've provided us in Carlsbad as  
23 well as the opportunities that they've brought to the  
24 table for us for local businesses that can work  
25 together with them, partner with companies over in

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1 this area, and make this a very positive project for  
2 our region.

3 As mentioned previously, the jobs that  
4 this will bring to this region are very important,  
5 very critical to move us forward in our growth and in  
6 our creating the nuclear corridor that I think that  
7 Senator Heaton alluded to and I think we're on the  
8 move to.

9 So again I'd like to thank you for taking  
10 the time, your commitment, your diligence in this  
11 project, and again would like to leave here with  
12 support for this licensing permit to move forward.  
13 Thank you.

14 CHAIR BOLLWERK: Thank you, sit, for  
15 coming and speaking with us today. Bill Bartlett you  
16 said isn't here, you don't think?

17 MR. DETWEILER: No, sir.

18 CHAIR BOLLWERK: Okay. How about Ned  
19 Elkins?

20 MR. DETWEILER: He's now here either.

21 CHAIR BOLLWERK: No? All right. What  
22 about Cliff Stroud? Nope? Dan Berry and then Richard  
23 Raaz if I'm pronouncing that right.

24 MR. BERRY: Yes, I'm here. I'm Dan Berry.  
25 I'm just an old has been. And I wasn't raised in Lea

1 County I've just been here 60 years, so I don't know  
2 much about the people.

3 And I thank you for holding this in a  
4 place, the rest of you thank you for being here, I  
5 know you got to be here below, but I thank you for  
6 holding it in a place where it is accessible to the  
7 other people, to all the people.

8 I'm for it 100 percent. I do run some  
9 livestock out close to this, and my criteria for  
10 saying I'm for it, I've been elected 11 times for  
11 local offices, legislature, and hospital districts.

12 And so I've had to run 11 times and lucky  
13 enough they hated my opponent and I was elected. And  
14 -- but I am for it. That was just the criteria to say  
15 that I do get out and see the people.

16 I still get out and see a lot of people.  
17 I still get calls, and I would say more than -- way  
18 more than 90 percent of the people are fore this. And  
19 we do appreciate you holding it in a place where  
20 people have the opportunity to come out. Thank you  
21 very much.

22 CHAIR BOLLWERK: Thank you for coming and  
23 speaking with us today. Richard Raaz?

24 MR. RAAZ: Good day, gentlemen. I'm Dick  
25 Raaz. I'm the President and General Manager of

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1 Washington TRU Solutions. We operate the WIPP  
2 repository. The most useful information I can provide  
3 to you is a daily interaction with the community's  
4 elected officials, the people, the farmers who live  
5 around us.

6 We're obviously a very heavy nuclear  
7 endeavor, survived many years of wrangling and  
8 wrestling and jostling and maneuvering to be welcomed  
9 and home in New Mexico.

10 Eddy County, Chavez County, and Lea County  
11 officials, State Officials, State Representatives,  
12 State Senators, the support for us is simply  
13 wonderful.

14 We get, of course, constant quizzing to  
15 demonstrate that our task can be done safely. The  
16 community has rallied to us over and over and over.  
17 And I think you will find a welcome home for LES and  
18 its work here in southeast New Mexico. Thank you.

19 CHAIR BOLLWERK: Thank you, sir, for  
20 coming this afternoon. The next three speakers would  
21 be Stan Rounds, Fay Thompson, and Lynn White.

22 MR. ROUNDS: Mr. Chairman and members of  
23 the Board, good day, good to have you in Lea County.  
24 I'm Stan Rounds. I'm currently a private businessman  
25 with interests in Lea County, Gaines, and Andrews

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1 County.

2 So this is the region that will impact our  
3 business. I'm also former superintendent of schools  
4 here in Hobbs. I did 33 years as an educator in New  
5 Mexico, ten years as a superintendent here in Hobbs,  
6 and I'm delighted and pleased with the efforts that  
7 I've seen the Nuclear Regulatory Commission utilize in  
8 trying to look at this particular project and  
9 determine its safety, its efficiencies, and the  
10 determination to place this in Lea County.

11 It's a tremendous opportunity for economic  
12 vitality in southeast New Mexico and in this region.  
13 It doesn't see the border of New Mexico and Texas, it  
14 simply sees the region.

15 As an independent business owner, I wanted  
16 to testify to you that the LES personnel are good  
17 business people also. They're good business partners.  
18 Our business already does some business with them and  
19 I want you to know that they insist upon full  
20 disclosure to the public.

21 One of the things we do is help with their  
22 website. And I want you to know first hand the  
23 importance they place upon maintaining the efficiency  
24 of information to the public, the accessibility to the  
25 public, and the completeness of that information.

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1           And that said volumes to me as a  
2           superintendent of schools. As this began in process  
3           we found that there was a tremendous interest on the  
4           part of the LES personnel to present the NEF  
5           information to all of the population in this area.

6           You know, they wanted to be sure that our  
7           students understood what this was about, that our  
8           teachers understood it, that the parents understood  
9           what happened.

10           They became good corporate partners, if  
11           you will, and good corporate citizens in our locality.  
12           They came to us and asked if they could help us with  
13           scholarships for students and they did that.

14           They came and asked if they could help  
15           develop -- co-develop programs in science and  
16           mathematics with us. And this is before they even  
17           were doing business here in effect, and they did that.

18           I think that speaks volumes for the kinds  
19           of commitment these people bring forward. I'm pleased  
20           to support this project. I'm confident that you as a  
21           commission will complete your task in a timely manner.

22           I'm hopeful that you will favorably rule  
23           upon their application and that soon we'll be turning  
24           some dirt out here and moving toward a new future in  
25           Lea County. Thank you.

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1 CHAIR BOLLWERK: Thank you, sir, for  
2 coming and talking with us this afternoon. The next  
3 speaker would be Fay Thompson, then Lynn White, then  
4 Mike Bundick.

5 MS. THOMPSON: Hello, my name is Fay  
6 Thompson. I don't have the title that a lot of them  
7 behind me have except that I'm a wife, a mother, and  
8 a grandmother.

9 LES has worked so hard to keep us educated  
10 on what's going on. I would not be behind them one  
11 second if I thought it would hurt one hair on my kids  
12 or my grandkids head.

13 I sound like a broken record. You all  
14 have heard repeatedly today. Everything at Almelo --  
15 I was fortunate to get to go on that trip. Any  
16 question that we have had all you have to do is go to  
17 them.

18 If they can't answer it they don't chuck  
19 you to the curb. They look, they study until they can  
20 come up with the answer to your question. I am sorry  
21 that the lady didn't take the time to try to track  
22 down some of her concerns because LES has been more  
23 willing than the most.

24 And I live in Eunice. I've lived there  
25 100 years so I want them there. I want my

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1 grandchildren to have a choice in what they do. If  
2 you stay in Eunice your choice is working in the oil  
3 field.

4 The oil field has made my living. It is  
5 a very dangerous place, not to say that LES is not  
6 going to be, but they're going to come in with such  
7 rules and regulations until we don't have that worry  
8 as much as what we have with the oil field.

9 I would appreciate if you would move as  
10 quickly as you can with this because everyday that you  
11 wait that's one more day that we have to wait on being  
12 able to move on with our lives and do what we want to  
13 do.

14 I do appreciate your all's time and your  
15 effort for coming, and you all be safe.

16 CHAIR BOLLWERK: Thank you for coming and  
17 speaking with us. Lynn White is the next speaker,  
18 then Mike Bundick, then Paula Hayes.

19 MR. WHITE: Mr. Chairman and members of  
20 the Committee, we want to welcome you folks to Lea  
21 County, New Mexico. My name is Lynn White. I'm a 25  
22 year resident of Eunice but a lifelong resident of the  
23 entire State of New Mexico.

24 I'm a local business owner and I also run  
25 the Eunice News newspaper. We realize that for the

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1 last two years this Commission has been working  
2 diligently to render a decision concerning the NEF  
3 facility.

4 We know that you have had many meetings in  
5 making sure that the facility has met your criteria  
6 for having a safe plant. We respect this process. By  
7 the same token we hope that you will respect what is  
8 happening in Lea County, New Mexico.

9 Every city in Lea County has been holding  
10 more meetings than anyone had ever thought possible  
11 before. We're all in the process of literally  
12 remaking this entire county.

13 We're having new sewer systems put in,  
14 waterlines, new homes being built, recreation  
15 facilities being upgraded. It's been a monumental  
16 task for the last two years.

17 A lot of volunteer work has gone on to get  
18 ready for this and a tremendous amount of cooperation  
19 has been generated by the entire county. I'd like to  
20 thank you for coming.

21 I'd like to thank you for laying  
22 everything out on the table for everyone to see. And  
23 I want to tell you that we are afraid of anybody like  
24 LES or Urenco or anyone else moving out of here  
25 because anytime you spend one and a half billion

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1 dollars I don't think that you're going to just up and  
2 leave just on a whim.

3 We're not afraid of any terrorists coming  
4 in because I think we've got enough rednecks here in  
5 New Mexico to take care of any terrorists there is.  
6 We -- as far as the waste product being taken up,  
7 blown over into -- since we have a southeast wind I  
8 guess Andrews better be on the lookout.

9 But I don't think we have winds that high  
10 that can blow it that far. And all these terrorists  
11 and everybody else that's looking for a war-grade  
12 material anyway and with the low level, five percent  
13 low level, I don't think we have to worry about them  
14 coming over and being of any interest in Lea County.

15 Once again I want to thank you folks for  
16 being here, and I hope that you will -- we're ready  
17 for LES to be here. We hope you folks will give us  
18 the green light. Thank you.

19 CHAIR BOLLWERK: Thank you for coming and  
20 talking with us this afternoon. The next speaker  
21 would be Mike Bundick, then Paula Hayes, then Erica  
22 Valdez.

23 MR. BUNDICK: Hello. I'm glad you all are  
24 here today to Lea County. I just want to say I'm Mike  
25 Bundick. I'm a manager at Lowe Supermarket in Eunice.

1 I'm also on the Chamber of Commerce.

2 I'm on the EDC of Eunice. I'm also Rotary  
3 Club and the Lions Club. I just want to say that  
4 every club that I belong to support LES. They think  
5 that we're all waiting for the time that we can make  
6 good partners, good business partners with them.  
7 Thank you very much.

8 CHAIR BOLLWERK: Thank you, sir. Next  
9 speaker Paula Hayes, then Erica Valdez, and then Paul  
10 Starr.

11 MS. HAYES: Good afternoon and welcome to  
12 New Mexico. My name is Paula Hayes and I'm a resident  
13 of Eunice. I want to thank you for the opportunity to  
14 speak in support of the National Enrichment Facility  
15 and for conducting these hearings for the purpose of  
16 proceeding with the NEF licensing.

17 I appreciate your time and your work on  
18 assuring me and my family as well as the community of  
19 Eunice that NEF will be constructed, operated, and  
20 maintained in the safest manner.

21 I am confident that the Nuclear Regulatory  
22 Commission and its process will continue to keep our  
23 best interest at heart. I am also confident that LES  
24 will construct, operate, and maintain the National  
25 Enrichment Facility with the same success that is

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1 evident in the Urenco plant in Almelo.

2 I was fortunate enough to be asked to make  
3 the trip and to take a tour of the facility. The  
4 plant there has utilized today's technology and has  
5 trained its workforce to bring the industry to the  
6 top.

7 We would be hard pressed to find another  
8 plant with the safety that is so paramount and the day  
9 to day operation of the plant that sets -- that we  
10 find that sets the standard for this industry and  
11 challenges any others to be as successful.

12 NEF officials will go beyond the accepted  
13 standards and retire self set standards in building  
14 NEF. And they have taken the time to answer thousands  
15 of questions concerning the purpose, the operations,  
16 the construction, and the maintenance, and even the  
17 end of life of this plant.

18 They have been open and honest with their  
19 information and they have kept us well informed. I  
20 trust them. NEF and the NEF team has already become  
21 an important part of Eunice and an asset to all of our  
22 communities.

23 The socio-economic impact os positive.  
24 It's bringing over 200 permanent jobs and 400  
25 construction jobs. We find ourselves one step closer

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1 to realizing the dream of having the National  
2 Enrichment Facility close to Eunice.

3 Now that is exciting and I'm looking  
4 forward to it. Thank you.

5 CHAIR BOLLWERK: Thank you for coming and  
6 speaking with us this afternoon. The next speaker  
7 would be Erica Valdez, then Paul Starr, then Jerry  
8 Harper.

9 MS. VALDEZ: Good afternoon and welcome to  
10 Lea County and New Mexico. I am just here as a  
11 citizen of Hobbs, lifetime citizen of Hobbs actually,  
12 to express my support for the National Enrichment  
13 Facility.

14 The diversification this would have both  
15 on a state level as well as a national level for jobs  
16 and the economy would be one of great significance and  
17 impact.

18 It would allow us to stop relying so much  
19 on the oil and gas industry with its busts and its  
20 booms, and would give us more of a stable economy.  
21 Also it would serve as a benefit towards the constant  
22 brain drain that we've experienced for years with all  
23 of the educated individuals leaving here to go on to  
24 college and then never coming back due to the lack of  
25 jobs that have been available in the past.

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1           Because of these two reasons I think this  
2           is a great opportunity for Lea County and for the  
3           State, as well as for the United States. And I too  
4           have traveled to Almelo to view the plant, as others  
5           have mentioned, and prior to that I had no concerns.

6           But after viewing it I was 100 percent  
7           sure that this would not be a problem. There is no  
8           detriment or harm. Everything is safe. Everything  
9           meets the standards and exceeds standards that I would  
10          have expected.

11          Because of this reason I just want to  
12          express my support and would like to encourage you all  
13          to issue the license as quickly as possible so we can  
14          start reaping the benefits of the diversification.  
15          Thank you.

16          CHAIR BOLLWERK: Thank you very much for  
17          coming and speaking with us this afternoon. The next  
18          speaker would be Paul Starr and then Jerry Harper.

19          MR. STARR: Good afternoon gentlemen and  
20          thank you for your time. I appreciate you coming to  
21          Lea County. My name is Paul Starr. For the last 20  
22          years I've run a group of radio stations here in Lea  
23          County, actually some of them in Hobbs, some of them  
24          in Eunice.

25          I do have great concerns about what goes

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1 on in Hobbs and in Eunice. I'm in all a 26 year  
2 resident of Lea County. I met my wife out here. We  
3 had our two kids here.

4 We raised and we sent them through schools  
5 here in Hobbs, all the way through school. So I would  
6 not come out here and speak on behalf of this project  
7 or LES if I did not believe in it, believe in the  
8 safety of it.

9 Lea County means more to me than the  
10 possibility of having this facility means. But I  
11 think the possibility of having this facility means to  
12 us in Lea County something we have searched for for a  
13 great many years, and that is economic stability that  
14 we have not seen through the whole time I've been  
15 here.

16 We have been subject to the whims of the  
17 oil and the natural gas industry. As it's risen we  
18 have risen, as it's fallen we have fallen. We've been  
19 through good times and hard times.

20 We have worked very, very hard to attract  
21 diversity of industry to this county. And this  
22 particular facility represents one of the best  
23 opportunities that we've had.

24 Just in closing let me say that we are,  
25 those of us who live here, energy people. We, if

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1 we're not in the industry, we're surrounded by it.  
2 Our neighbors work in it.

3 The people we do business with are in this  
4 industry. We understand the need for domestically  
5 produced energy. We understand the need for nuclear  
6 to come into play because of the eventual play out of  
7 oil and gas.

8 We understand the risk. If you were going  
9 to put this facility anywhere in America I don't think  
10 you could find a better place than Lea County, New  
11 Mexico. Thank you.

12 CHAIR BOLLWERK: Thank you, sir, for  
13 coming this afternoon. Jerry Harper? No? All right,  
14 at this point I have gone through the list of speakers  
15 that have preregistered in one way or another, and I  
16 don't think I've got any at this point that have  
17 signed up this afternoon that we haven't had speak.

18 What I'd like to do is take about a five  
19 minute break. If there is anyone here that hasn't  
20 spoken that wants to sign up now would be the time to  
21 do so.

22 Or if you want to put in a written limited  
23 appearance statement you can certainly do that as  
24 well. But we were scheduled to go until five o'clock  
25 and we will probably wait until five incase anyone

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1 comes in.

2 And I also, when we get back, I will go  
3 through the list one more time for those individuals  
4 that signed up and haven't spoken yet just to make  
5 sure we didn't miss anyone.

6 So why don't we take a five minute break?  
7 Again, if you want to speak now would be the time to  
8 sign up. Thank you very much.

9 (Whereupon, the above-entitled matter went  
10 off the record at 4:48 p.m. and went back on the  
11 record at 4:50 p.m.)

12 CHAIR BOLLWERK: All right, I'm going to  
13 run briefly through the list that we have of the  
14 speakers that had at least pre-registered and see if  
15 anyone is here.

16 Don Wittacher, Betty Rickman, Mary Fuller,  
17 Chris Rounds, Mike Patterson, David or Sonya Gallegos,  
18 Marty Rodriguez, Natalie Meyers. I have a taker, all  
19 right. I'm sorry. I went too fast.

20 MS. CUNNINGHAM: That's fine. I'm here  
21 on behalf of Betty Rickman. She's the Mayor of Tatom.  
22 My name is Bethe Cunningham. And she sent her words  
23 along in written form.

24 So I'll read those to you. Good evening,  
25 or good afternoon. My name is Betty Rickman. I'm the

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1 Mayor of the town of Tatom. The town of Tatom looks  
2 forward to welcoming the National Enrichment Facility  
3 in Lea County.

4 We have confidence that the NRC Licensing  
5 Board will find that NEF will play a valuable role in  
6 strengthening our economy in a safe regulated manner.  
7 We look forward to the final approval steps for NEF.

8 Thank you for your time for allowing  
9 supportive citizens to speak. Thank you.

10 CHAIR BOLLWERK: Thank you very much for  
11 coming this afternoon.

12 JUDGE ABRAMSON: This evening.

13 CHAIR BOLLWERK: This evening. We're  
14 almost there. I don't know. We're on the verge of  
15 one or the other, leaving one and moving to the other.  
16 Let's see, Natalie Meyers? Did I call that name out?

17 Kent Hopkins, Judd Porter, Jenny Redmond,  
18 John Boyd, Bill Bartlett, Ned Elkins, Cliff Shroud,  
19 and I believe the last one then was Jerry Harper,  
20 right?

21 Not hearing from any of those folks, and  
22 no one else having signed the list, and we're almost  
23 at five o'clock, we will then call this session  
24 closed. I would remind everyone that's interested,  
25 tomorrow morning beginning at nine we will be

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1 convening again in this room to hold what we call a  
2 mandatory hearing dealing with uncontested issues in  
3 the proceeding the Board has raised with the parties  
4 that are here, with LES and with the NRC Staff.

5 Then tomorrow evening we are scheduled  
6 beginning at seven o'clock in here in this room to  
7 conduct some additional limited appearance session.  
8 And we do have approximately the same number of people  
9 signed up tomorrow night.

10 So, if someone you know whose name I  
11 called or hasn't signed up on our list, you can  
12 certainly come tomorrow night and speak as well. We  
13 welcome anyone who wants to make a limited appearance.

14 Either Judge Kelber or Judge Abramson have  
15 anything they want to say at this point?

16 (No verbal response.)

17 CHAIR BOLLWERK: No? Then I would also  
18 again like to express our thanks to the New Mexico  
19 Junior College. They have been a very good host for  
20 us.

21 We really appreciate it. And it allows  
22 us, as I say, to test some technology that we're  
23 actually finding appears to be working. We're  
24 actually doing some web screening back in Washington  
25 and other places.

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1                   So, again, thank you everyone for taking  
2 the time to come and speak with us this afternoon. If  
3 there's anyone that wants to come back tomorrow night,  
4 you're certainly welcomed. But, for what we've done  
5 today, we stand adjourned, thank you.

6                   (Whereupon, at 5:01 p.m. the above-  
7 entitled matter was concluded.)

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CERTIFICATE

This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission in the matter of:

Name of Proceeding: Louisiana Energy Service, LP  
Limited Appearances Hearing

Docket Number: 70-3103-ML

ASLBP No. 04-826-01-ML

Location: Hobbs, NM

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and, thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings.



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Christina Willis  
Official Reporter  
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