From: "PHILLIP BARR" <pharb2@msn.com>
To: "Timothy Johnson" <TCJ@nrc.gov>, <miguel.garcia@nmlegis.gov>
Date: 3/22/06 2:07PM
Subject: Re: Re:

Thanks for the email Mr. Johnson.
I am presently in the process of sending information on Les and the state of New Mexico ; Nrc and Doe to several insurance companies.
Ill add this email to what Im sending.
I thought it would be important for any insurance company to have information about the changes Les would bring to the air and water .

And what was asked of State and Federal officials.

Ms. Fox, to save a repetitive email, I would like to request again the State of new Mexico require the release of the full details of the LES emergency plan to the public in Lea county.

Phillip Barr
Lea county

----- Original Message -----
From: Timothy Johnson<mailto:TCJ@nrc.gov>
To: pharb2@msn.com<mailto:pharb2@msn.com>
Sent: Wednesday, March 22, 2006 8:53 AM
Subject: Re:

Mr. Barr: Below are responses to your emails dated February 21, 2006; February 23, 2006; February 24, 2006; February 27, 2006; March 1, 2006; March 2, 2006; March 3, 2006; March 4, 2006; March 5, 2006; and March 10, 2006.

Response to February 21 and 23, 2006, emails in which you asked about the uranium exposure to a former Paducah Gaseous Diffusion Plant employee:

The gaseous diffusion plant at Paducah was constructed by the predecessor of DOE and is a different type of enrichment facility than the one proposed by LES. Paducah was under DOE oversight until NRC assumed oversight in 1997.

Based on press reports, Mr. Harding worked at the Paducah plant from 1952 to 1971. He worked in a uranium conversion operation and also doing various maintenance jobs that may have exposed him to uranium contamination. The proposed LES plant will not have uranium conversion operations nor does it require similar types of maintenance activities previously performed at the Paducah plant throughout the 1950s and 1960s. The conditions and work practices in place in the early years of the gaseous diffusion plant operations do not exist today.

In the event that LES is granted a license, it will operate the facility in accord with the conditions of the NRC license. These conditions will include LES's commitments to standard operating procedures, radiation protection programs, and environmental monitoring programs. In addition, NRC would inspect the facility during construction, operation, and decommissioning.

Response to February 24, 25, and 27, 2006 and March 1, 6, 8, and 15, 2006, emails in which you asked about the environmental impacts of high winds and the educational backgrounds of the staff evaluating this:

The monitoring program proposed by LES was determined to be safe based on a review of the routine and accident airborne releases from the site and the proposed effluent systems and

sampling programs. Chapter 9 of the "Safety Evaluation Report for the National Enrichment Facility in Lea County, New Mexico," NUREG-1827, discusses the details of the NRC's monitoring program review.

As we have stated in previous emails to you, the NRC evaluated the impacts of high winds in the "Environmental Impact Statement for the Proposed National Enrichment Facility in Lea County, New Mexico," NUREG-1790, and the "Safety Evaluation Report for the National Enrichment Facility in Lea County, New Mexico," NUREG-1827. These areas are addressed in NUREG-1790 in the following sections:

Section 4.2.4, Air Quality Impacts
Section 4.2.12, Public and Occupational Health Impacts
Appendix E, Section E.2, Analysis of the Potential Effects of High Winds

Site information on high winds and evaluation of radiological impacts from airborne releases is also found in the following sections of NUREG-1827:

Section 1.3.3.3.2, High Winds and Hurricanes
Section 3.3.1.1.3.2, High Winds and Hurricanes
Section 3.3.2.1.1.1, Structural Design Loads
Section 9.3.1.2, Air Effluent Controls to Maintain Public Doses ALARA

We agree that 50 to 75 mph winds are high winds, but we stand by our conclusion that these conditions are relatively rare and the impacts are small as discussed in the above referenced documents. In fact, under conditions with 50 to 75 mph winds, the concentration of materials is greatly reduced and those who are exposed receive lower doses as compared to conditions with lower wind speeds.

The individual preparing the accident analyses was David Brown, who has a BS in Physics from Muhlenberg College and an MS in Environmental Systems Engineering from Clemson.

Response to February 27, 2006, and March 5 and 16, 2006, emails in which you asked about the water supply impacts from the LES plant and the Ogallala Aquifer and current local drought conditions:

The NRC staff evaluated the potential impacts to water supplies as part of the staff's review of LES's application to construct, operate, and decommission the proposed uranium enrichment facility near Eunice, New Mexico. The results of the NRC staff's evaluation is documented in section 4.2.6, "Water Resources Impacts," of NUREG-1790, "Environmental Impact Statement for the Proposed National Enrichment Facility, Lea County, New Mexico." Based on the proposed LES water usage and the evaluations, NRC staff concluded that there are only small impacts to the local water supply from LES operations.

The issue of water supply impacts was also litigated in the LES contested hearing. The Atomic Safety and Licensing Board concluded that LES and NRC staff had adequately addressed this issue (see First Partial Initial Decision on Environmental Contentions dated June 8, 2005 (ADAMS Accession No. ML051650558)).

Regarding the Ogallala Aquifer, as we discussed in our response to the same question that we sent you on July 26, 2005, the figure you provided may not be supported based on the large scale used in the figure. Figures previously provided to you by the NRC staff on July 12, 2005, show the southern boundary of the Ogallala Aquifer to be located north of the proposed LES site. These figures are based on U.S. Geological Survey information. In addition, NRC staff concluded that, based on site investigations (e.g., borings) at the proposed LES site, which have not encountered the Ogallala Aquifer Formation and the NRC staff's independent evaluations, the Ogallala Aquifer does not extend below the proposed facility site.

The NRC staff determined that, if the proposed facility were constructed and operated, the

facility, over its entire lifetime, would use 0.004 percent of the available Ogallala Aquifer reserves in the State of New Mexico territory. In addition, the NRC staff determined that operation of the proposed facility over a 30-year period would result in an additional drawdown of 1.2 feet of the aquifer at the simulated withdrawal point and that the extent of this drawdown would diminish with distance. As a result, the drawdown would be 0.01 feet (less than an inch) at approximately 10 miles away from the withdrawal point. The proposed facility would obtain its water from the municipal water supply systems of the cities of Eunice and Hobbs, with this water originating from the Ogallala Aquifer north of Hobbs.

Finally, the NRC staff notes that LES would comply with any drought-related actions that would be imposed through the Lea County Regional Water Plan or through other State or local actions. At the proposed facility, LES also would use low-water consumption landscaping techniques; low-flow toilets, sinks, and showers; and efficient water-using equipment.

The NRC staff understands that Governor Richardson declared a drought in the State of New Mexico on March 14, 2006, and encouraged State residents to conserve water. However, based on its review of the proposed facility's potential impact to water resources as summarized above, the NRC staff considers that its evaluation was appropriate and adequately reflected the impacts to the regional water supply. The NRC staff considers that a change to this environmental evaluation is not necessary.

Response to March 2, 2006, email in which you asked about the accuracy of LES' waste cleanup estimates :

LES' estimates for waste cleanup are presented in Chapter 10 of the LES Safety Analysis Report. The tables in Chapter 10 are consistent with our guidance for preparing decommissioning cost estimates in "Consolidated NMSS Decommissioning Guidance," NUREG-1757, and show that the estimates were not developed "on the back of an envelope."

The LES waste cleanup estimates were extensively litigated in the LES contested hearings. The Atomic Safety and Licensing Board's ruling is expected to be issued within the next month.
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Response to March 3, 2006, email in which you asked about the capacity of the Envirocare disposal facility in Utah:

Envirocare is completing disposals in its first low-level waste cell and has approval to construct and operate a second disposal cell having an approximate capacity for 3 million cubic meters of waste. The first cell, having about a 3 million cubic meter capacity, has been in operation for approximately 15 years. Envirocare, also has applied to the State of Utah to expand the low-level waste disposal capacity to a third cell. Based on this information, we consider that Envirocare will have sufficient capacity to dispose of the projected LES wastes.

If LES transfers its depleted uranium to DOE, the wastes will not become a public liability because the LES decommissioning cost estimate and decommissioning financial assurance instrument for depleted uranium disposition exceeds the estimated DOE costs for dispositioning the LES wastes.

Response to March 4, 2006, email in which you discussed the placing of radiation monitors at schools and the unconfirmed report that LES will enrich uranium for weapons:

As we have communicated to you previously, the radiative airborne emissions from the proposed LES facility are expected to be well within our regulatory limits and no additional monitoring over what LES is proposing is needed.

LES has applied to enrich up to 5 percent U-235 and the plant is designed to only enrich up to this level. This level is well below levels needed for nuclear weapons. The "unconfirmed report" you refer to is entirely incorrect.

Response to March 5, 2006, email in which you asked about the purchase of Westinghouse shares in LES by Urenco:

Westinghouse indicated it sold its shares in LES to Urenco to allow the NRC to review Urenco as the full general partner rather than have NRC have to consider an ownership change so near to the expected issuance of the license. The full press release can be found at the following site:
http://www.nefnm.com/documents/public/News%20Release%20Westinghouse%20purchase%203.3.06%20Final3.pdf<http://www.nefnm.com/documents/public/News%20Release%20Westinghouse%20purchase%203.3.06%20Final3.pdf>

Response to March 10, 2006, email in which you asked about the LES emergency plan:

As we have communicated to you previously, NRC has not released the LES Emergency Plan to the public because NRC considers emergency plans to be sensitive information that could be of use to a terrorist planning an attack on a nuclear facility. However, a description of the LES Emergency Plan and our evaluation of it is presented in Chapter 8 of NUREG-1827. Note that if an emergency occurs that requires notification of local residences, such notification with protective action recommendations will be coordinated with local emergency, police, and fire agencies.

>>> "PHILLIP BARR" <pharb2@msn.com<mailto:pharb2@msn.com>> 03/10/06 11:15 AM >>>

As I understand it , the emergency plan for the Les (urenco-Bnfl, etc)enrichment plant project is being kept a secret.
If an accidental or terrorist caused release of massive amounts of radiation from the Les plant into a 30 mph westerly wind happened:
The emissions would be over Eunice in 8 minutes and over 2,500 people.

In a 30 mph northerly wind:
The emissions would be over Hobbs in an hour and probably 20,000+ people.

How do you warn them?
Don't they deserve to know or have a legal right to know the LES emergency plan or is it only for LES employees ?
Isnt that discriminatory ?

I request Governor Richardson, the state of New Mexico,NMED, the NRC, DOE, Urenco. the Board of Trade and Industry (sponsoring UK agency of BNFL) , BNFL and other LES partners release the emergency plan for the LES plant for the public health of this area.

Phillip Barr
Lea County

CC: <tannis.fox@state.nm.us>, "Melissa Kemp" <mkemp@citizen.org>, "nmlady2000" <nmlady2000@hotmail.com>

Mail Envelope Properties (4421A047.13D : 2 : 16701)

Subject: Re: Re:
Creation Date: 3/22/06 2:06PM
From: "PHILLIP BARR" <pharb2@msn.com>

Created By: pharb2@msn.com

Recipients
nrc.gov
twf4_po.TWFN_DO
TCJ (Timothy Johnson)

hotmail.com
nmlady2000 CC (nmlady2000)

citizen.org
mkemp CC (Melissa Kemp)

state.nm.us
tannis.fox CC

nmlegis.gov
miguel.garcia

Post Office	Route
twf4_po.TWFN_DO	nrc.gov
	hotmail.com
	citizen.org
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Files	Size	Date & Time
MESSAGE	12492	03/22/06 02:06PM
TEXT.htm	15235	
Mime.822	31070	

Options

Expiration Date:	None
Priority:	Standard
Reply Requested:	No
Return Notification:	None
Concealed Subject:	No
Security:	Standard