

EDO Principal Correspondence Control

FROM: DUE: 08/21/07

EDO CONTROL: G20070554  
DOC DT: 07/31/07  
FINAL REPLY:

Governor Bill Richardson  
State of New Mexico

TO:

Chairman Klein

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 07-0525

Chairman Klein

DESC:

Generic Environmental Impact Statement (GEIS)  
Regarding Proposed Uranium Recovery Operations  
(EDATS: SECY-2007-0266)

ROUTING:

Reyes  
Virgilio  
Kane  
Ash  
Ordaz  
Cyr/Burns  
Mallett, RIV

DATE: 08/10/07

ASSIGNED TO:

CONTACT:

FSME

Miller

SPECIAL INSTRUCTIONS OR REMARKS:

# EDATS

Electronic Document and Action Tracking System

**EDATS Number:** SECY-2007-0266

**Initiating Office:** SECY

## General Information

**Assigned To:** FSME **OEDO Due Date:** 8/21/2007 5:00 PM  
**Other Assignees:** **SECY Due Date:** 8/23/2007 5:00 PM  
**Subject:** Generic Environmental Impacts Statement (GEIS) Regarding Proposed Uranium Recovery Operations  
**Description:**  
**CC Routing:** Region IV  
**ADAMS Accession Numbers - Incoming:** NONE **Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20070554, LTR-07-0525 **Staff Initiated:** NO  
**Related Task:** **Recurring Item:** NO  
**File Routing:** EDATS **Agency Lesson Learned:** NO

## Process Information

**Action Type:** Letter **Priority:** Medium  
**Signature Level:** Chairman Klein **Sensitivity:** None  
**OEDO Concurrence:** YES **Urgency:** NO  
**OCM Concurrence:** NO  
**OCA Concurrence:** NO  
**Special Instructions:**

## Document Information

**Originator Name:** Governor Bill Richardson **Date of Incoming:** 7/31/2007  
**Originating Organization:** State of New Mexico **Document Received by SECY Date:** 8/9/2007  
**Addressee:** Chairman Klein **Date Response Requested by Originator:** NONE  
**Incoming Task Received:** Letter

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: Aug 09, 2007 09:59

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**PAPER NUMBER:** LTR-07-0525 **LOGGING DATE:** 08/09/2007  
**ACTION OFFICE:** EDO

**AUTHOR:** GOV Bill Richardson  
**AFFILIATION:** NM-GOV  
**ADDRESSEE:** Dale Klein  
**SUBJECT:** Urges the Commission to allow the public to express views on individual Environmental Impact Statements for proposed uranium mines and mills in New Mexico

**ACTION:** Signature of Chairman  
**DISTRIBUTION:** RF, SECY to Ack

**LETTER DATE:** 07/31/2007  
**ACKNOWLEDGED:** Yes  
**SPECIAL HANDLING:** Made publicly available in ADAMS via EDO/DPC  
**NOTES:** Commission Correspondence  
**FILE LOCATION:** ADAMS  
**DATE DUE:** 08/23/2007 **DATE SIGNED:**

EDO --G20070554



# State of New Mexico

## Office of the Governor

Bill Richardson  
Governor

July 31, 2007

Dr. Dale Klein, Chairman  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Dear Chairman Klein:

It has come to my attention that the U.S. Nuclear Regulatory Commission (NRC) plans to create a "generic environmental impact statement" (GEIS) concerning newly proposed uranium recovery operations, including in-situ leach (ISL) recovery facilities and conventional mills to be located in the western United States. The NRC has stated that the purpose of this "generic" process is "to aid in a more efficient environmental review for each separate license application."

I share your goal of efficiency in governmental oversight; however, in this case, I believe that your attempt at efficiency will negatively impact the ability of New Mexico's citizens to participate in the NRC licensing process for individual facilities. As the Governor of a state with large uranium reserves and an extensive history of environmental degradation and public impacts as a result of past uranium mining practices, I write to request that you not attempt to limit the public's right to review and comment upon individual Environmental Impact Statements for specific license applications.

There is nothing generic about the concerns that many New Mexicans have with proposals to reopen or start new uranium mining and milling operations in their communities. Our citizens have a right to full involvement in decisions that could have far-reaching impacts on their homes and water resources. In New Mexico, discharge permit applications for uranium operations are evaluated in a case by case manner, and this individual review is particularly important for uranium operations due to the varying hydrologic, geologic, and ecologic conditions of each particular site. Such a review allows the state and the public the opportunity to address site-specific concerns unique to each individual facility. The NRC's GEIS proposal would be contrary to the State of New Mexico's public participation permitting process. Given the concerns of many citizens in New Mexico about the public health, environmental, and cultural impacts of new uranium mining actions, a process to eliminate public review of individual NRC permit actions in New Mexico would be disrespectful to our many sovereign Native American Tribes and Pueblos and the general public.

Unlike the Navajo Nation, the State of New Mexico currently has not taken a broad policy position on uranium mining. However, if uranium mining and milling are to resume in New Mexico, the state must be sure that the public is given a robust opportunity to participate in the decisions and that all environmental, water resource, and potential public health issues are thoroughly examined for each operation. The State of New Mexico is committed to an open, transparent and thorough review process of all uranium permits and we implore the NRC to commit itself to the same level of public involvement.

I applaud your desire to look at the overall impacts of uranium mining, milling and leaching, but not at the cost of diminished Environmental Impact Statement reviews for future uranium operations. I hope you consider my recommendation to issue and allow the public to review individual Environmental Impact Statements for proposed uranium mines and mills in New Mexico on a case by case basis.

Sincerely,



Bill Richardson  
Governor of New Mexico

BR/zw