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Generic Environmental Impact Statement

Chief, Rules Review and Directives Branch
Mail Stop T-a6D59
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

7/24/07
72FR 40344
393

RE: Uranium Recovery GEIS; Scoping Comments

Dear Sir:

I am responding to the U.S. Nuclear Regulatory Commission's Federal Register notice dated July 24, 2007 regarding the scope of the proposed Generic Environmental Impact Statement ("GEIS") for *in situ* leach ("ISL") uranium mining. Please note my concerns below.

First, the process by which the NRC arrived at its conclusion to draft a GEIS is fundamentally flawed. There was no public input about whether a GEIS is needed or desirable. Given the site-specific nature of ISL operations, the usefulness of a GEIS is dubious at best. This process gives the impression that drafting a GEIS that would expedite ISL licensing process was a foregone conclusion.

Second, if the NRC has concluded, as it appears to have already done, that a GEIS should be drafted, its scope should be very limited. ISL mining is inherently constrained by site-specific considerations. To conclude that the hydrology, water quality, geology, socio-economics, and cultural resources in places as diverse as northwest New Mexico and south Texas – where ISL mining is ongoing and proposed – can be evaluated in a generic manner is absurd on its face. These issues can only be evaluated on a site-specific basis with a site-specific environmental impact statement.

Moreover, relegating these important site-specific issues to evaluation in an environmental assessment ("EA") is unacceptable. The public participation and environmental analysis requirements under the National Environmental Policy Act are much less stringent for EAs than for EISs. Because the site-specific issues are so central to assessing the environmental impact of proposed ISL operations, meaningful public participation and a rigorous environmental analysis are critical. Such issues should not be left for an EA. In fact, in the August 13, 2007 issue of the Gallup *Independent*, the NRC's Office of Federal and State Materials and Environmental Management Programs Branch Chief Gregory Suber stated that "the potential for fewer public meetings is there" with the EA process.

Thank you for the opportunity to submit my comments on this matter, and please keep me apprised of developments with regard to the GEIS.

Sincerely,



Gary Hein
1 Asta Terrace
Santa Fe, NM 87508

SUNST Review Complete

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J. Park (JRP)