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DEPARTMENT OF WILDLIFE CONSERVATION

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October 24, 2007

Chief, Rulemaking, Directives and Editing Branch
Mail Stop: T-6 D59
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Re: Sequoyah Fuels Decommissioning

Dear Mr. Allen H. Fetter:

Please consider this letter in response to the Draft Environmental Impact Statement for the above referenced project, Report Number NUREG-1888, prepared by regulatory staff and presented for public comment at Gore, Oklahoma on October 16, 2007.

The Oklahoma Department of Wildlife Conservation (ODWC) recognizes the severity of hazardous materials and the difficulty with the remediation and/or associated removal of these materials currently located at the Sequoyah Fuels site at Gore, Oklahoma. The Sequoyah Fuels Corporation (SFC) plan of a disposal cell to last 200 to 1000 years is inadequate when considering that the half-life of uranium contained within is 4 ½ billion years. The plan calls for installation of a permanent fence around the containment area as a security measure. Simply fencing the site to provide security is inadequate considering the hazard potential of the site. Given the long-term nature of the environmental and human-health risks posed by the site, additional security measures are warranted. In addition, the adjacent 276 acres, designated for unrestricted use, could be used as outdoor recreational areas, i.e., hunting and fishing, placing the public at risk if the containment site is not properly secured.

Letters dated November 28 and November 30, 2006 from the Nuclear Regulatory Commission to the United States Fish and Wildlife Service (USFWS) and the Director of ODWC stating that endangered or threatened species are not present at SFC location are in error. Sequoyah County is within the range of the American Burying Beetle and the DEIS has no plan of action if the beetle is discovered living on the plant location. SFC should develop a plan of action, should threatened or endangered species be discovered, and present this plan for agency comment prior to initiation of the remediation plan.

The disposal cell is designed with a liner that monitors groundwater leakage. If the liner malfunctions at any time, leachate from the cell could easily reach the Illinois and Arkansas Rivers. The lower Illinois River is well known as an excellent trout, striped bass, walleye, and sauger fishery. It is a unique fishery for the state of Oklahoma and provides thousands of hours of angling opportunities. The designated trout stream portion is one of two year round trout fisheries in the state. Anglers utilizing these fisheries pay for the majority of the state's trout stocking program through purchases of trout licenses. Contamination of the lower Illinois River trout stream not only would result in the loss of one premier trout fishery, but loss of revenue from this area would jeopardize the future of other trout fishing areas resulting in negative impacts on local economies. The Arkansas River is noted for its blue catfish and flathead catfish fisheries. The ecological integrity of the Sequoyah National Wildlife Refuge, established as mitigation for habitat loss due to construction of the McClellan-Kerr Navigation System, lies downstream from the proposed storage site would be compromised if materials stored at the site are not contained.

SONSI Review Complete

TempEnte = ADM-013

E-RIDS = ADM-013

ADM = A. Fetter

(Ahf)

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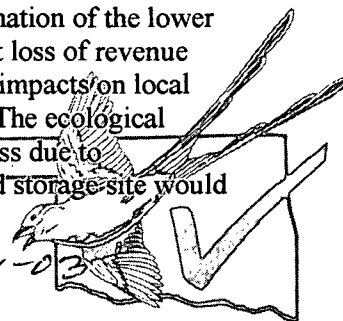
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Mr. Allen H. Fetter
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The lower Illinois River trout stocking information on the DEIS page 3-7 is inaccurate. The river is stocked weekly throughout the year not every weekend from the end of March until July 4th and then every other week as described in the DEIS. Although a minor issue, errors in reporting this easily obtainable information, raises concerns over the accuracy of other statements in the DEIS. ODWC respectfully requests a thorough review of all information contained in the DEIS prior to the NRC approving remediation.

The potential for a breach in containment of materials in the storage facility jeopardizes the millions of dollars outdoor recreational activities provide to the economy of eastern Oklahoma and more specifically to the region where the Sequoyah Fuels facility is located. ODWC recommends Selecting Alternative 2 which involves shipping contaminated soil, buildings and other materials to a site currently approved for storage of hazardous materials. As the government agency charged with ensuring that Oklahoma's fish and wildlife resources are preserved for future generations, ODWC strongly urges NRC to require all hazardous materials and associated equipment be removed from the facility and grounds and disposed of in an area and manner that will best protect the public and the environment from possible exposure indefinitely.

We appreciate the opportunity to provide comments regarding this and all proposed actions effecting the environment and fish and wildlife within the State of Oklahoma. Should you have additional questions please contact either Gary Peterson or Jim Burroughs at 918-683-1031.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg D. Duffy", is written over the printed name.

Greg D. Duffy
Director

Notes from the NRC meeting concerning decommissioning of Sequoyah Fuels, Gore, Oklahoma plant 10-16-07

Jim Burroughs, Josh Johnston and Gary Peterson attended a public meeting about the Gore plant's draft EIS. The public comment period ends November 8th and the final EIS is due April 2008.

Approximately 300,000 cubic yards of material is left on site.

Alternative	Cost
1	\$31.9 million
2	\$189.9-253.7
3	\$38.5-44.4
4	\$19.3

NRC said cost born by the licensee???

Speakers

Horace Lindley; Gore Town Administrator; Concerned about health and welfare of town folk, property values and outdoor activities. Also concerned about long term impacts on local economy.

Ryan Callison; Cherokee Nation Environmental Specialist and Gore Mayor: Wants NRC to keep tribe in informational loop and maintain good working relationship. Official comments from tribe administration will be forthcoming.

Ed Henshaw; SFC ex-employee; Proposed disposal cell lies within the Arkansas River alluvium and will leak, the DEIS is written to protect SFC not the environment, illegal use of the injection well showed the cells are interconnected, the area has geologic faults, the waste was intentionally misclassified as tailings so it's easier to deal with, it's not tailings, the owners should bear all the cost of cleanup and transportation to existing dry climate, this project creates a low level radioactive waste dump.

O.L. Heften; stockholders made millions of dollars and they should pay for the cleanup, the dump will last a long, long time.

John Ellis; SFC president; no comment

Nadine Barton; C.A.S.E. rep; SF is children's inheritance, attendance at meetings keeps getting smaller, the cell is for 200-1000 years, maybe the government can predict the future and tell if Illinois River and Arkansas River will change course in that time period, concur with Mr. Henshaw that it's all about money, cheapest way for SFC to get out of paying, what's the maintenance cost in 1000 years, leach from the cell will run into the rivers, unrestricted use means people can build houses, schools, hospitals and daycare centers on the land when land released, they can wait a while and sell off lots to unsuspecting souls, need to notify the public when earth

disturbances start because in Oklahoma the wind blows and the fine particulate matter will become airborne in spite of the watering being done, background checks on the workers need to be done to protect us from terrorists and SFC needs to guard workers from terrorists, what happens here will have impact on future decommissionings, how can people trust and believe what government agencies tell them.

S. W. Armstrong; SFC; no comment

Dana Tracy; Fire Chief District 1; have had two train derailments and RR people sent help immediately; what can NRC do to help me if emergency happens at location after SFC leaves.

Bill Kennedy; Consultant; Seriously consider question.

John Ellis; Problem is SFC's not NRC, would provide personnel to guide firefighters and work to end problem, there are people on site 5 days a week now plus a security guard full time.

Dennis Fields; Gore P.D. and former school board member; when SFC shutdown in 1993, town suffered significant loss of ad valorem, if cleanup is not done well, town will be hurt more and school suffer more, Gore and SFC fighting in court now about payment of taxes.

End of meeting

Environmental impacts

Land use Impacts

Alternative 1. (4-1)

Construct disposal cell in northern section of site. Dismantle and bury all materials, except admin building and electrical substation, including contaminated soils, sludges, pond residues and sediments and previously buried wastes.

After surface reclamation a 324 acre, fenced ICB (Institutional Control Boundary) would be established. At license termination this area would transfer to state or federal care. It would be restricted forever from excavation, construction and production of water-well drilling (4-2).

The south 276 acres would be released for unrestricted use such as agricultural or residential development.

Alternative 2

The licensee would consolidate all contaminated soils, sludges, equipment, structures and transport by rail to licensed off-site facility. A railroad spur 1.6 miles long would be constructed and connect to the major RR line. Approximately 254,850 cubic

meters or 9 million cubic feet would be moved by rail (2-25). Potential off-site disposal locations are Energy Solutions, Clive, Utah (1,505 miles); Waste Control Specialists, Andrews, Texas (759 miles), providing SFC materials meet acceptance criteria (2-26).

Alternative 3

Only the raffinate sludge and sludges and soils from the emergency basin, north ditch and sanitary lagoon would be consolidated and transported to off-site for reuse or to a licensed disposal facility. The remaining materials would be disposed of in the onsite disposal cell (4-4). The ICB would be established and the 324 acre enclosure transferred to a state or federal agency in perpetuity and restricted for further usage (4-4).

Alternative 4

Under the no-action plan SFC would remain responsible for control and maintenance of the entire 600 acre site indefinitely. No decontamination procedures would be conducted, no soils remediated, no equipment or buildings removed. The site would never be suitable for redevelopment now or in the future (4-4). The impact would be large because uncontained sources of radioactive material would continue to leak and spread.

Impacts on water resources

Surface water

Alternative 1

Wastewater generated by SFC reclamation would be transferred to an existing wastewater treatment system located on site. This system would remove Uranium and the water released to outflow. Excavated areas would be backfilled with rock and soil from on-site and graded to provide storm water drainage. The disposal cap would be covered with topsoil and planted with native vegetation to reduce erosion. The majority of pavement and buildings would be removed, reducing erosion and decreasing impacts on surface water (4-5).

Alternative 2

Wastewater generated by cleanup operations would be treated as proposed in Alternative 1 and tested to ensure Uranium concentrations meet drinking water standards and released to outflow. The RR spur would traverse 2 small streams and construction would impact the water quality in these streams. Impacts would be limited by using BMP's. Culverts would be installed to maintain water flow. Excavations would be filled with on-site rock and soil and graded to provide adequate storm water drainage. The majority of pavement and buildings would be removed, reducing erosion and decreasing impacts on surface water (4-6). Off-site disposal of soil would not impact surface water.

Alternative 3

Wastewater generated by SFC would be treated as discussed in Alternative 1. Excavated areas would be backfilled with rock and soil from on-site and graded to

provide storm water drainage. The disposal cap would be covered with topsoil and planted with native vegetation to reduce erosion. The majority of pavement and buildings would be removed, reducing erosion and decreasing impacts on surface water (4-6). Off-site disposal of soil would not impact surface water.

Alternative 4

Measurements of surface water quality at the site indicate no significant surface water quality impacts as a result of SFC contamination. However, the potential source of future contamination would not be removed. In the long term there is potential for existing conditions to affect surface water on the site (4-6).

Ground water impacts

Alternative 1

Cleanup of contaminated soils and sediments and construction of the disposal cell may expose previously contaminated groundwater. SFC would employ its existing wastewater treatment system on any affected groundwater. Removal of soil and remediation of groundwater would reduce source for further contamination of soil and water. The disposal cell will be equipped with cell liner that has a leak detection system which is designed to detect leakage from cell (4-7).

The goal of the cleanup is to reduce the concentrations of the identified hazardous constituents in the groundwater to the approved concentration limit for each constituent (4-8).

SFC would monitor corrective actions until surface reclamation is complete then proposes ownership transfer to state or federal government for long term monitoring.

Land outside ICB would be released for unrestricted use. Future land use may involve agricultural, pasture, residential or commercial/industrial uses, the availability and quality of groundwater is limited (4-8). It is expected future users of the site would obtain water from other sources rather than groundwater.

Alternative 2

SFC would reclaim contaminated soils and sediments and process sludges and sediments and transport those along with building materials to off-site disposal facility. No on-site disposal cell would be constructed. Contaminated soils would be cleaned to the unrestricted release level. Contaminated groundwater would be treated in SFC wastewater treatment facility. These actions would reduce the source for further contamination. To address existing contamination, groundwater corrective action and monitoring would be performed in accordance with plans approved by NRC (4-9). Following completion of surface reclamation and groundwater corrective actions, SFC proposes release of land to unrestricted level. Future land use may involve agricultural, pasture, residential or commercial/industrial uses, the availability and quality of groundwater is limited (4-9). It is expected future users of the site would obtain water from other sources rather than groundwater.

Alternative 3

SFC would transport raffinate sludges to uranium mill for processing as alternate feed material or transport to off-site disposal facility. Other soils, building materials, sludges and sediments would be placed in an on-site disposal cell. Contaminated groundwater would be treated in SFC wastewater treatment system to reduce further contamination. To address existing contamination, groundwater corrective action and monitoring would be performed in accordance with plans approved by NRC (4-9). Following completion of surface reclamation, disposal cell construction and groundwater corrective actions, SFC proposes release of ICB to state or federal government for long term monitoring. Land outside the ICB would be released to the unrestricted level. Future land use may involve agricultural, pasture, residential or commercial/industrial uses, the availability and quality of groundwater is limited (4-10). It is expected future users of the site would obtain water from other sources rather than groundwater (Illinois River).

Alternative 4

No remediation of soil contamination. SFC would continue to conduct current site surveillance, groundwater remediation and monitoring. License termination would not occur nor would any portion of the site be released for restricted or unrestricted usage. Because excavation of contaminated soil and treatment of near surface groundwater would not occur, contamination would continue for an extended period of time.